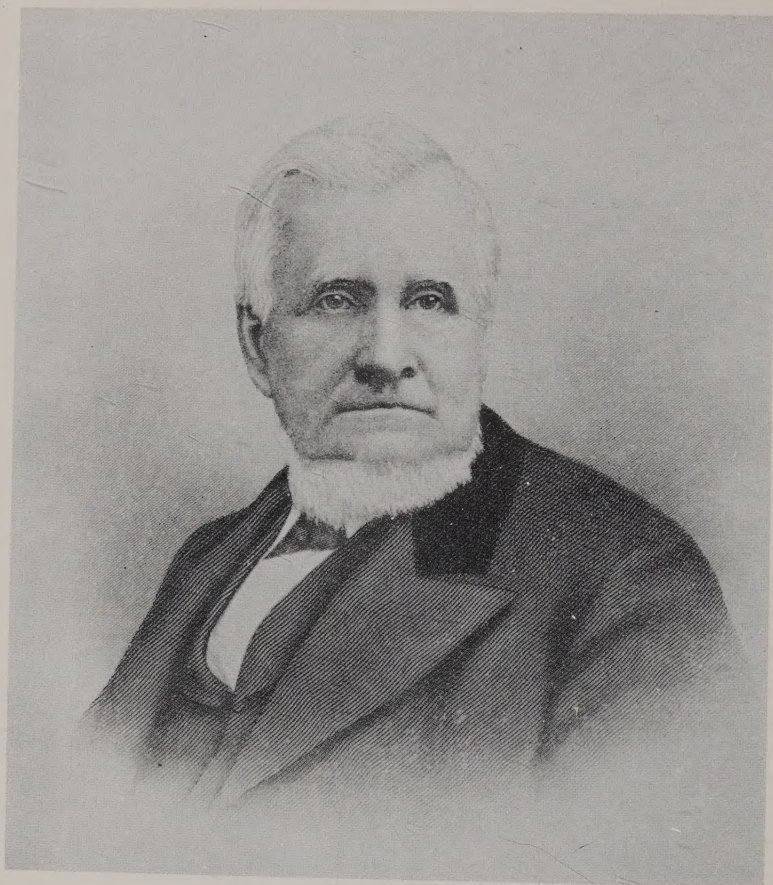




John Taylor

PRESIDENT JOHN TAYLOR

1877—1887

A
Comprehensive History
OF
The Church of Jesus Christ
OF
Latter-day Saints

CENTURY I

In Six Volumes

By B. H. ROBERTS

Author of—Outlines of Ecclesiastical History; Doctrine of Deity (a discussion); New Witnesses for God (3 vols.); Defense of the Faith and the Saints (2 vols.); Joseph Smith the Prophet Teacher; The Falling Away (16 Radio Addresses, 1929); etc., etc.

VOL. IV

Published by the Church
Deseret News Press
Salt Lake City, Utah
1930

GEORGE E. MAYCOCK

Copyrighted
By
HEBER J. GRANT
For
The Church of Jesus Christ of Latter-day Saints
1930

Table of Contents

VOLUME IV

CHAPTER XCIV

MISCELLANEOUS EVENTS, 1851-7: EXTENSION OF COLONIES EAST AND WEST—CORNER STONES OF THE SALT LAKE TEMPLE LAID

Early Settlements East of Salt Lake City	1	Lake Temple	15
Settlements West of the Salt Lake City Line	3	Corner Stones of the Salt Lake Temple Laid	17
The Carson Valley Settlements	5	The Temple a Testimony of the Saints in Stone	18
The Salmon River or "Limhi" Settlement	8	Governor Young's Letter to Senator Stephen A. Douglas on Removing the Eastern Line of Utah from the Summit of the Rocky Mountains	19
Chief Arapeen's Vision	8	Opening Ceremonies of Laying the Foundation Stones of the Salt Lake Temple, April 6th, 1853	21
The First State Capital	10		
The One and Only Session of the Legislature at the New Capital	12		
Public Buildings of this Period which Became Famous	12		
The Beginning of the Salt			

CHAPTER XCV

MISCELLANEOUS EVENTS, 1851-7 (CONT'D.)—EFFORTS AT DEVELOPMENT OF MEANS OF COMMUNICATION—INDIAN WAR OF 1853—THE GUNNISON MASSACRE

Encouragement to Domestic Manufacturers	24	Brigham Young on Slavery	38
Early Methods of Communication	26	The Killing of Captain John W. Gunnison	40
Establishment of United States Postal Service in "Deseret"—Utah	27	Bishop Anson Call's Journal Account of the Murder	42
Adventures in Mail Carrying	28	Details of the Massacre	43
Petition for a National Highway to the West	31	Anti-"Mormon" Misrepresentation of the Massacre	45
Petitions for Telegraph Line and National Railroad to the West	31	The Chief Events in Indian War of 1853	46
The Indian War of 1853	33	The Indian Policy of Governor Young in Action	48
The Larger Reasons for the Utah Indian War of 1853—Indian Slavery	36	Status of Utah Indians	50
		The Incidents of Sarpy's Point—Grattan's Blunder	51
		Governor Young's Indian Policy Approved	52

CHAPTER XCVI

MISCELLANEOUS EVENTS, 1851-7 (CONT'D.): "WALLED CITIES"—
OFFICIAL ANNOUNCEMENT OF THE PLURAL MARRIAGE DOCTRINE—
MISSIONARY PERIODICALS

The Wall of Salt Lake City.....	53	Bitterness of the New York	
The Temple Square Wall.....	54	Press—Taylor's Boldness.....	63
Strengthening the Settlements.....	54	Erastus Snow Founds the "St.	
Public Announcement of the		Louis Luminary"	66
Doctrine of the "Plurality		George Q. Cannon Erects the	
of Wives"	55	"Western Standard"	66
Timeliness of the Action.....	57	Missions	68
Effect of the Proclamation.....	58	The Missions of India.....	72
Mission Publications — "The		Other Missions in the Far East	74
Seer"	61	Reflections on the Missionary	
John Taylor Publishes "The		Work of the Church.....	75
Mormon"—New York	62		

CHAPTER XCVII

MISCELLANEOUS EVENTS, 1851-7 (CONT'D.): CALAMITOUS
INCIDENTS—"THE SAINTS SHALL HARDLY ESCAPE"

The Cymback Damp Explo-		Zion	79
sion	77	Wreck of the <i>Julia Ann</i> in the	
The <i>Saluda</i> Disaster	78	Pacific	80
Cholera Outbreak <i>en route</i> to		A Captain Devoted to Duty....	81

CHAPTER XCVIII

MISCELLANEOUS EVENTS, 1851-7 (CONT'D.): HANDCART
IMMIGRATION DISASTER

Origin of the "Handcart Im-		Sweetwater—Deaths	92
migration" Idea	83	Chislett's Picture of Rejoicing	
The Handcart Companies of		—Relief	93
1856	84	Journey and Suffering of Ed-	
The Willie Company through		ward Martin's Handcart	
Iowa	87	Company	95
Willie's Company at Florence		Faulty Structure of the Hand-	
—Shall the Journey be		carts	95
Continued	89	At Florence—Adjustments	97
Westward Ho! Incidents by		Ephraim K. Hanks—Hero....	99
the Way	91	The Missionary East-bound	
On Rations	92	Handcart Company	105
The Fierce Storms of the			

CHAPTER XCIX

MISCELLANEOUS EVENTS, 1851-7 (CONCLUDED): THE FAMINE OF
1855-6—ESTABLISHMENT OF "FAST DAY" FOR THE CHURCH—
DEATH OF NOTABLE MEN—"REFORMATION"—"BLOOD
ATONEMENT"

Drought and Grasshoppers—		The Charitable Device of "the	
a Dual Plague	108	Fast Day"	109

TABLE OF CONTENTS

IX

The Policy of Storing Grain Against a Time of Need.....112 Death's Early Harvest in Utah —Newel K. Whitney, Sec- ond Presiding Bishop of the Church.....114 Willard Richards: Counselor and Annalist.....115 John Smith—Uncle of the Prophet and Patriarch to the Church.....116 Orson Spencer: Scholar and Theologian.....117 Jedediah M. Grant: Mission- ary, Reformer, and First	Mayor of Salt Lake.....118 “The Reformation”: General Status of the Church.....119 Sex Sins and the “Reforma- tion”.....121 Outside Testimony to the Chastity of the Latter-day Saints.....122 Inception of the “Reforma- tion”.....124 “Blood Atonement”.....126 Manifesto of the Presidency and Apostles.....136 The Fast Day of the Church.....137
---	---

CHAPTER C

THE MOUNTAIN MEADOWS MASSACRE

The Character of the Emigrant Party Killed at Mountain Meadows.....140 Journey of the Arkansas Em- igrants through Utah.....141 The Alleged Policy of “Non- Intercourse” with the Ar- kansas Emigrants.....144 Location of the Mountain Meadows.....148 The Message of Inquiry Sent to Brigham Young—James Haslem.....149	Governor Brigham Young's Verbal Answer.....150 President Young's Letter to Isaac C. Haight.....150 Opening Attack on the Emi- grants.....151 Motives Prompting the Mas- sacre.....154 Massacre Coldly Determined Upon.....156 Execution of the Plan.....157 Disposition of the very Young Children and the Property.....158
--	--

CHAPTER CI

RESPONSIBILITY FOR THE MOUNTAIN MEADOWS MASSACRE

Letter of George A. Smith to President Brigham Young.....162 Testimony of Jacob Hamblin.....166 Attitude of Governor Cum- ming on the Matter of In- vestigating the Massacre.....167 President Young's Own An- swer to Alleged Delay of Action in the Case.....168 President Young's Report to	the Indian Department.....168 The Passage of “Duke's” Train Through Utah Un- der Militia Protection.....170 Forney's Report on White Men Being Responsible for the Massacre.....172 A Fancher Incident.....179 Statement by Elder Orson F. Whitney.....179
---	---

CHAPTER CII

THE "UTAH WAR" PERIOD: AGITATION AGAINST THE REAPPOINTMENT OF BRIGHAM YOUNG FOR GOVERNOR—COLONEL STEPTOE

Alleged Purposes of the "War"	181	Incongruities of Territorial Government	189
Grounds of Opposition Against Governor Young	182	The People's Right to a Local Judiciary	191
Petition	183	The Probate Court System of Utah	192
Strong for the Rights of Local Self-Government	185	Local Legislation Confessedly Unusual, But—	194
Misrepresentation of Governor Young's Attitude	186	Approval of Utah Legislation on the Judiciary	196
Colonel Steptoe's Standing in Utah	187	Territorial Marshal and Attorney-General Sustained	196
The American Right of "Local Self-Government"	188		

CHAPTER CIII

THE "UTAH WAR" PERIOD: DISAPPOINTED MAIL CONTRACTORS AND THEIR MISREPRESENTATIONS

The Clash in Jurisdiction of Courts	198	Other Charges—Disappointed Mail Contractors	207
Judge Drummond's Declared Attitude	200	The "Y. X. Company" Organization	208
Immoral Character of Judge Drummond	200	Evidence of the Death of Hon. Almond W. Babbit, at the Hands of Cheyenne Indians September, 1856	212
Drummond's Resignation and Charges	202	Colonel A. W. Babbit's Murder	214
Denial of Drummond's Charges	205		

CHAPTER CIV

THE "UTAH WAR" PERIOD: THE CASUS BELLI—THE "MORMON QUESTION" A NATIONAL PARTY ISSUE

The Ground Plan of the "Utah Expedition"	216	Senator Stephen A. Douglas on "Rumored" Conditions in Utah	221
Question on the Justification of the Washington Administration	217	Democrats vs. Republicans on Territorial Policy—"The Twin Relics"	223
A Deeper Look into the Causes of "the War"	219	Was the "Utah Expedition" Part of the Confederate Dis-Union and Pro-Slavery Plans	224
Postal Department's Letter to Hiram Kimball	218	Pre-"Expedition" Conditions in Utah	225
Advice to President Buchanan and Cabinet: Demand for a Commission of Investigation	220	Statehood Application	226

TABLE OF CONTENTS

xI

Manifestation of Utah Patriotism	227	ization and Activity.....	232
Patriotic Speech of Governor Young—Excerpts	228	The Buchanan Administration at Bar	233
The Fourth of July Celebrations of 1857	230	First Steps in Organization and March of the "Expedition"	234
Renewed Effort at Statehood —1857	231	Announcement in Utah of the March of the "Expedition"	236
Purpose of Militia Re-organ-			

CHAPTER CV

THE "UTAH WAR": PRELIMINARIES OF THE CAMPAIGN— COMMANDING OFFICERS

Approach of the United States Army Announced	239	Field	246
"The Call" to Scattered Leaders to Return to Utah.....	240	Albert Sidney Johnston in Command of the "Expedition"	249
Utah's Message and Protest to the President of the United States	241	Ribaldry of the Camp.....	250
The Spirit of Utah's Message.....	242	Official Instructions of the "Expedition"	251
Calling in the People of Outlying Settlements	244	General Harney's Instructions to Captain Van Vliet	252
Utah's Movements in the		Personnel of the Officers of the "Expedition"	253

CHAPTER CVI

THE "UTAH WAR": PRELIMINARIES OF THE CAMPAIGN— ARRIVAL OF CAPTAIN VAN VLIET

Embarrassment of Captain Van Vliet	257	Further on Captain Van Vliet's Mission	263
Reinforcement of Former Experiences	259	Brigham Young's Threat to Desolate the Utah Settlements by Fire	266
What President Buchanan Did Not Say—M. Remy	261	"We Ask No Odds of Them"—the United States	269
Policy of Resistance Justified.....	262		

CHAPTER CVII

THE "UTAH WAR": THE CAMPAIGN—BURNING OF GOVERNMENT SUPPLY TRAINS—SNOWED IN

Proclamation by the Governor	273	The Burning of United States Wagon Trains	280
Governor Young's Proclamation to the Commander of the "Utah Expedition"	276	The Meeting of a Captain and a Major—A Grim Interview	288
The Issue—Territory vs. Buchanan Administration	277	Under Fire—Only Shots of "the War"	289
Instructions to Utah Militia Officers	279	Colonel Alexander's Perplexities	290

The Advent of "King Winter" Favors the Utah Forces	292	tion" Heartened by Johnston's Arrival	296
Strength in the Things Not Known	293	Troubles of the "Expedition" Multiplying	298
Views of Senator Sam Houston on War with Utah	294	Colonel Johnston's Report	299
Arrival of Colonel Johnston Learned—"They Shall Not Pass"	295	Colonel Cooke's Report of a Hard March—A Desolate Country	300
Reports of the Outposts	296	The "Expedition" Watched by a Guard of Fifty—Snowbound	302
The Morale of the "Expedi-			

CHAPTER CVIII

CHURCH LEADERS' COURTESIES EXTENDED TO THE OFFICERS OF THE "UTAH EXPEDITION"—IRONY OF EVENTS—RIVAL GOVERNMENTS

Mutual Courtesies Extended and Solicited	304	Judiciary Organized at Camp Scott	316
A Gift of Salt for the "Army"	307	Brigham Young <i>et al</i> Indicted for Treason by Camp Scott	
A White Mule Incident	309	Grand Jury	317
Reasons Given for Train-Burning	310	The Spirit of the "Expedition" at Camp Scott—1857-8	318
Colonel Johnston's Attitude Toward Utah's People	311	United States Senator Houston's Comments on the Action of Colonel Johnston in Rejecting the Salt Sent to the "Utah Expedition" by Brigham Young	320
Grim Irony of Events in Johnston's Case	312	The Treason of John B. Floyd	320
Two Territorial Capitals: Salt Lake City—Camp Scott	313		
Governor Cumming's Proclamation to the People of Utah	314		

CHAPTER CIX

THE "UTAH WAR": TERRITORIAL ACTIVITIES AT SALT LAKE CITY—CONVENING OF THE LEGISLATURE—MEMORIALS TO THE PRESIDENT OF THE UNITED STATES AND TO CONGRESS

Subjects of the Message—Review of Federal Procedure	322	The Ferguson-Cooke Correspondence	328
The Justification of Resistance	324	The Legislature Memorial to the President and Congress of the United States	329
The Message approved by the Legislature	326	The Salt Lake Mass Meeting on the Utah Situation	330
Captain Marcy and Elder Taylor's Correspondence	327		

TABLE OF CONTENTS

XIII

Creation of a Territorial Standing Army332 The New York Tribune Ed- itorial on the Purpose of the "Utah Expedition".....333 Commission for Utah333 The Taylor-Marcy Corres- pondence: Captain Marcy's	Letter335 Elder Taylor's Reply336 The Correspondence Between Adjutant General James Ferguson of the Utah Mi- litia and Colonel P. St. George Cooke, United States Dragoons341
--	--

CHAPTER CX

THE "UTAH WAR": COLONEL THOMAS L. KANE'S ARRIVAL IN UTAH—NATURE OF HIS MISSION

The Hazardous Journey343 The Announcement of the Colonel's Mission344 Mystery of the Kane-Young Private Interview346 "Doctor Osborne" Introduced to the People347 President Buchanan Explains Kane's Status347 Again the Private Young- Kane Interview348 Colonel Kane at Camp Scott.....349 The Sentry Challenge and the Broken Gun Stock350 General Johnston's Views on	the Utah Situation352 The Tender of Utah "Beef" to the Army353 General Johnston Given Full Opportunity to Participate in Peace Negotiations355 The Kane-Johnston Duel Challenge355 Governor Cumming to Enter Salt Lake Without Military Escort356 The First Attempted Federal Action Against "Polyg- amy"357
---	---

CHAPTER CXI

THE "UTAH WAR": CHANGE IN POLICY OF THE CHURCH LEADERS —FLIGHT FROM UTAH SETTLEMENTS DETERMINED UPON

A "Mormon" "Council of War"360 President Young's Misconcep- tion of a Place of Refuge.....361 "Uncivilized Mode of War- fare"364 An Indian Menace to the Saints365 Alleged "Expedition's" Efforts to Incite Indians Against the Saints366	Denial of "Expedition's" Offi- cers in Employing Indians Against the Saints368 Policy of the Saints Respecting the Use of Indians in the "Utah War"370 Proposed Movement Against Utah from California371 Increase of the Federal Army Against Utah373 "Trust in God"—Sole Refuge 375
---	--

CHAPTER CXII

THE ENTRANCE OF GOVERNOR CUMMING INTO SALT LAKE CITY
UNACCOMPANIED BY UNITED STATES TROOPS

Governor Cumming's Journey From Camp Scott to Salt Lake—Echo Canon Experi- ences	377	Investigations by Governor Cumming: Report	387
A Grim Sense of Humor Mani- fested	378	Senatorial "Bee" Put in Gov- ernor Cumming's "Bon- net"	389
Governor Cumming Finds the People En Exodus from the Territory	380	Governor Cumming's Public Speech to the People of Salt Lake City	390
Meeting of the Governors— Ex and De Facto	381	Utah's Grievances Voiced	393
Second Interview — Private Items	383	A Boisterous Meeting	395
Governor Cumming's Report of Conditions to General Johnston	384	Governor Cumming and the Moving Saints	397
Brigham Young's Tender of General Supplies to the Army	385	Departure of Colonel Kane from Utah—Army Activi- ties	398
The "Move South" Continues	386	Colonel Kane Approves Presi- dent Young's Course	400
		Colonel Kane Hated at Camp Scott	400

CHAPTER CXIII

PRESS CRITICISM IN THE UNITED STATES AND IN EUROPE ON THE
BUCHANAN ADMINISTRATION FOR ITS COURSE TOWARDS UTAH

General Scott's Objections to the "Utah Expedition"	402	The Emphasized Earnestness of the Saints	414
Senator Wilson and Metropol- itan Press Demand an Inves- tigation	404	Criticism of the Federal Ad- ministration for Sending the Army to Utah After the News That the Threatened "Mormon" Exodus from Utah had Begun Reached the East	416
The Appointing of a Peace Commission for Utah	410		
The Question of "Treason" and "Rebellion" on the Part of the Latter-day Saints	411		

CHAPTER CXIV

PEACE COMMISSIONERS FOR UTAH AGREED UPON—PRESIDENT
BUCHANAN'S "PROCLAMATION OF PARDON"

Arrival of the Commission Camp Scott and Salt Lake	419	Salt Lake	420
The Commission in Session at		The Cumming- Johnston Cor- respondence	421

TABLE OF CONTENTS

xv

Purpose of the Commission—	Governor Cumming	431
Discussions	Speech of Brigham Young <i>et</i>	
422	<i>al</i> —"Zion"	432
Limitations of the Commission	Commissioner Powell An-	
—Not Investigation and	nounces Success of Negoti-	
Adjudication	ations	433
425	Agreed-Upon Statement of	
A Proclamation	Peace Negotiations	436
425	Understanding had with Gen-	
Private Interviews—Subject:	eral Johnston on March of	
Passage of the Army	the Army Through Salt	
Through Salt Lake	Lake City	439
428		
George A. Smith's Speech to		
the Commission		
429		
George A. Smith's View of		

CHAPTER CXV

THE ARMY'S ENTRANCE INTO SALT LAKE VALLEY—RETURN OF THE PEOPLE TO THEIR HOMES

Powell's Speech at Provo Pa-	Colonel Cooke Honors the	
triotic	Mormon Battalion	445
441	The Return of the People to	
The Army Breaks Camp at	their Homes	447
Fort Bridger	President Buchanan Lauds	
443	the "Expedition" and its	
The March of the Army	"Achievements"	448
Through Salt Lake City		
444		
Order of Army Marching Di-		
visions		
445		

CHAPTER CXVI

A CHAPTER OF HORRORS—CONDITIONS IN UTAH AFTER THE ADVENT OF THE "UTAH EXPEDITION"—A "REFORMING AGENCY"

The "Utah Expedition" Army	Followers with Indian Wo-	
Encampment	men	459
452	Street Imbrolios	460
The Utah Federal Civil Offi-	Prostitution and Attendant	
cers Which Came With the	Crimes	461
"Expedition"	Other Testimony Than "Mor-	
454	mon"	463
Attempted Social Amenities—		
"Reform Agencies"		
454		
Relation of the Army and its		

CHAPTER CXVII

MEETING OF THE LEGISLATURE—THE JUDICIARY PLUS ARMY SUPPORT—A CRUSADE

Fillmore Declared the Capital:	Conflict on Territorial and	
Precautionary Measure	Federal Court Officials	478
473	A Despicable Judiciary	481
The Governor's Message	Judge Cradlebaugh's Courts	
473		
Course of the Judiciary		
474		

—Plus Military Display	483	cedure of Judge Cradle-	
Governor Cumming's Protest		baugh	493
Against the Use of Military		The Springville Homicides as	
Display in Connection with		"Blood Atonement" Cases	494
Civil Courts	488	The Appeal to Washington	
Judge Cradlebaugh's Conflict		Authorities	497
with the Grand Jury	489	Victory of the Cause of the	
The Federal Attorney for		People over Judicial Terror-	
Utah Opposed to the Pro-		ism	497

CHAPTER CXVIII

CAMP FLOYD INCIDENTS—GOVERNOR CUMMING'S DEFENSE OF THE PEOPLE OF UTAH

Spencer-Pike Killing Affair	503	Defense of the People of	
The Government Draft Coun-		Utah	511
terfeiting Incident	505	Interview Between Alfred	
Interposition of Governor		Cumming, Governor of	
Cumming Against the		Utah, President Brigham	
Camp Floyd Plot	507	Young and General Daniel	
Return and Activity of Judge		H. Wells, April 24th,	
Eckles	510	1859	515
Governor Cumming's Brave			

CHAPTER CXIX

INDIAN DIFFICULTIES—PERIODICALS "VALLEY TAN" AND "MOUNTAINEER"—NOTABLE VISITORS—HORACE GREELEY—CAPTAIN RICHARD F. BURTON—THEIR BOOKS ON UTAH AND THE LATTER-DAY SAINTS

An Uprising of Indian Tribes		"Mormonism" and Govern-	
Threatened	519	ment Army Contracts	523
Additions to the Utah Press:		Captain Burton on the "Mor-	
"The Valley Tan"—"The		mons" and their Religion	527
Mountaineer"	521	The Book of Jules Remy	531
Two Notable Utah Visitors—		Horace Greeley on "Mormon-	
Horace Greeley, Captain		ism, Mormons, and Utah"	532
Burton	523	Captain Burton's Report of	
Horace Greeley's Views of		Things "Mormon"	534

CHAPTER CXX

CLOSE OF THE CAMP FLOYD PERIOD—COMPLETION OF THE OVERLAND TELEGRAPH LINE—REQUISITION FOR UTAH MEN FOR FEDERAL SERVICE

Departure of Albert Sidney		Camp Floyd	540
Johnston from Utah	538	The Army Camp Abandoned	
Successive Commanders at		—Destruction of the Muni-	

TABLE OF CONTENTS

XVII

tions of War	540	Utah Men to Guard the	
Good-Fellowship Wrought by		Mail Line	550
Trade	542	The Assault Upon the Henni-	
The Departure of Governor		fer Brothers in the United	
Cumming for the East	544	States Army Camp on Yel-	
Loss and Gain of "Buchanan's		low Creek	554
Folly"—i. e. The "Utah		Schedule of the United States	
Expedition"	547	Campaign Expenses Against	
The Advent of the Telegraph		the "Mormons"	555
Line into Salt Lake City.....	548	Distribution of the Forces	
President Lincoln's Call for		Against Utah	556

Illustrations

President John Taylor	Frontispiece
Map Showing Reductions from Original Boundary Lines of Utah..	6
The Old State House, Fillmore, Utah.....	12
Fort Utah	34
Great Salt Lake City in 1853.....	54
Jedediah M. Grant.....	118
Beehive House and Eagle Gate.....	150
Daniel H. Wells.....	280
A Scene in Echo Canon.....	288
Deseret Store and General Tithing Storehouse.....	306
Governor Alfred Cumming.....	378
The Old Council House.....	420
Cedar Valley.....	544

Ensign

Volume IV

Volume IV has to do with raising an *Ensign* on the mountains in the fulfillment of such prophecies in Isaiah as—"All ye inhabitants of the world and dwellers on the earth, see ye when he lifteth up an Ensign on the mountains; and when he bloweth a trumpet, hear ye."¹ Also, "And he shall set up an Ensign for the nations; and shall assemble the outcasts of Israel, and gather together the dispersed of Judah from the four corners of the earth."² And again, Isaiah: "And it shall come to pass in the last days, that the mountain of the Lord's house shall be established in the top of the mountains, and shall be exalted above the hills; and all nations shall flow unto it, and many people shall go and say, come ye, and let us go up to the mountain of the Lord, to the house of the God of Jacob; and he will teach us of his ways and we will walk in his paths. * * * O house of Jacob come ye, and let us walk in the light of the Lord."³

The fulfillment of these prophecies was the mission of the nucleus of modern Israel that had come to the mountains to raise a standard and send forth God's message to all Israel in the world, and to all nations of the earth. The matter was a subject of discussion along the route of the march of the Pioneer company. On the 29th of May while yet on the plains of the Platte river, President Young made mention of this as may be learned by consulting Volume III, chapter lxxxii of this *History*; and Wilford Woodruff in his journal entry of that date drew in the margin of his *Journal* a crude standard and banner representing the flags of a number of the nations, and in the script of it, furthering President Young's idea, this occurs:

"And on the standard would be a flag of every nation under heaven, so there would be an invitation to all nations to keep the celestial law. And all nations and religions would have to bow the knee to God, and acknowledge that Jesus is the Christ."

This was the significance of the reference to raising "an Ensign" on "Mount Ensign," or "Ensign Peak," overlooking the site of Salt Lake City and valley on the 26th of July, 1847. This the significance of Orson Pratt's noble discourse on the second Sunday after

1. *Isaiah* xviii:3.
2. *Ibid*, xi:12.
3. *Ibid* ii:2-5.

the arrival of the Pioneers in the valley referred to in Volume III. This the significance of converting "Ensign Peak" into a sacred "Mountain-Temple" where the summit of the mount was marked off and used as a temple for giving the sacred endowments to worthy brethren who had not received them at Nauvoo, before sending them to the islands of the Pacific upon their renewed missions to the people of those islands. From these mountain heights also, within three years of the arrival of the Pioneers, apostles were sent forth to the nations of Europe—England, France, Germany, Italy and the Scandinavian nations; to South America and the Pacific Islands; apostles with a new note in their ministry, saying: "See ye when he [God] lifteth up an Ensign on the mountains;" "Come ye, let us go up to the mountain of the Lord to the house of the God of Jacob, and he will teach us of his ways and we will walk in his paths." And straightway in response to these new notes in the message of the apostles, the streams of emigrating Israel began flowing from those lands to the heights of the mountains of Ephraim, where God's standard of Zion was figuratively erected; where God's house was building, whence his law was going forth and to which the saints were commanded to gather.

The period of Volume IV covers a divine planting of God's people in the mountains; and the symbolic Ensign proclaims it.

The period covers the founding of cities, the extension of settlements, the subduing of Indian tribes; the contention with the current administration of the government of the United States for community rights; resistance to encroachments of unwarranted assumption of military authority. But the dominant, spiritual thought of Volume IV, the meaning of the activities of the saints, is the raising of an *Ensign* to the nations, the establishing of a gathering place for Israel, whence the word of the Lord may go forth. This the incentive to the zeal of the servants and saints of God, the motive underlying their activities. They were founding the predicted mountain gathering place of Israel in the last days.

A
Comprehensive History
OF THE
Church of Jesus Christ
of Latter-day Saints

Century One

CHAPTER XCIV

MISCELLANEOUS EVENTS, 1851-7: EXTENSION OF COLONIES EAST
AND WEST—CORNER STONES OF THE SALT LAKE TEMPLE LAID

IN pointing out the underlying cause of the troubles between the Latter-day Saints in Utah and the government of the United States, and following the first clash between the United States "foreign" appointees for Utah and the saints to its conclusion, I passed by many events in the history both of the church and of the territory that were parallel with those events and that now claim our attention.

EARLY SETTLEMENTS EAST OF SALT LAKE CITY

Among these events was the extension of the Latter-day Saint colonies in the Great Basin. The first colony planted east of the line of counties extending north and south of Salt Lake county was a settlement in Parley's Park, a little southeast of Salt Lake City. The settlement was made by Samuel Snyder who built sawmills in the park, early in 1853. Later settlements were formed along the valley of the Weber river, and later, *viz.*, 1861, Summit county was

organized.¹ It takes its name from the fact that it includes within its boundaries several of the summits of the Wasatch range. It borders Salt Lake and Morgan counties on the east, and is noted for its coal and mineral deposits.

In the year 1853, two companies were organized in Salt Lake City to effect a settlement in the Green river valley. The first company, consisting of 39 men, was led by John Nebeker; the second, numbering 53 men, was under the leadership of Isaac Bullock.² Both companies united and formed a settlement on a stream known as Smith's Fork, in the vicinity of Fort Bridger, calling their settlement Fort Supply. Some months previous to the founding of this settlement Brigham Young had purchased of James Bridger a tract of land comprising thirty square miles, for which he paid \$8,000 in gold. He erected a stone fort and made corrals for the protection of animals, and made other improvements on the ranch, amounting to \$8,000 more. A county was organized called Green River county, with Fort Supply as the county seat. "In 1857 the United States Army, under General Albert Sidney Johnston, took possession of Fort Bridger in the name of the United States, and declared it to be a military reservation. The reservation was also extended over the settlement and farming lands of Fort Supply, the county seat. Alfred Cumming, then (1857-1861) governor of Utah, made an attempt to restore the property to the citizens who had been dispossessed by military authority, but his

1. Geo. A. Smith, *Answers to Questions*, p. 21, and Bancroft's *History of Utah*, pp. 594-5. The chief settlements, founded in early days, were Kamas, at first but a grazing ranch owned by Thomas Rhodes; Coalville, the present county seat (1930), Wanship, after an Indian chief of that name, and highly esteemed by the early settlers of Utah; Peoa (1860), Hoytsville, Hennifer, and Echo soon followed. Park City, the most considerable town of the county, grew from the development of the great silver mining industry in the south end of the county, which occurred some two decades later. The great Ontario and Silver King being among the best known mines of the district, and of the intermountain west.

2. Some writers (See Jenson's *Church Chronology*, 1853, p. 49; and Bancroft's *History of Utah*, p. 595) give the number of the united companies as 53. I follow *Ms. History of Brigham Young*, where the two companies are distinctly named, and the numbers given as in the text above. (See *History of Brigham Young Ms.*, entry of 16th of November, 1853, p. 140).

efforts were unsuccessful, having been overruled by John B. Floyd, then secretary of war. The loss and damage sustained by these Pioneers amounted to about \$300,000."³

Another attempt at settlement eastwardly was made in 1855, when, on the 21st of May, about forty settlers under the leadership of Brother Alfred N. Billings, went from Manti, San Pete county, to a valley near La Sal Mountains, then called Elk Mountains, east of Grand river. The settlement was formed in the vicinity of the present site of Moab in Grand county, near what is now the eastern line of Utah. In September, however, the settlers were treacherously attacked by Indians and three of their number killed and one other wounded. The Indians also burned the settlers' hay in the stack, and turned off the water that supplied the fort that had been erected during the summer. On the second day of the attack the Indians surrounded the fort in great numbers, and there being no prospect of a reconciliation, and acting upon the advice of a few friendly Indians, the settlers mounted their horses, and leaving all their cattle and other effects in the fort, they started for Manti where they arrived without further adventure on the 30th of September.⁴

SETTLEMENTS WEST OF THE SALT LAKE CITY LINE

The first extension west of the north and south line of

3. Church Historian Geo. A. Smith's *Answers to Questions*, p. 21. The final settlement for the ranch did not take place until the 18th of October, 1858. That settlement is thus recorded by Brigham Young: "Louis Vasques, of the firm of Bridger and Vasques, executed a bill of sale of Fort Bridger, and acknowledged receipt of \$4,000.00 on August 3rd, 1855, and \$4,000.00 today; also acknowledged before Samuel A. Gilbert, clerk of 3rd district court, that Hiram F. Morrell was lawfully appointed agent; and that he fully approved of the acts and doings of said Morrell in the sale of said property." (*History of Brigham Young, Ms.*, entry for 18th of Oct., 1858, p. 1017).

4. See *History of Brigham Young, Ms.*, 1855, entries for July 17, pp. 79, 83; and Sept. 23rd and 24th, p. 92. The names of the persons killed were James Wiseman Hunt, William Behuin and Edward Edwards; the president of the colony, Alfred N. Billings, was wounded. Soon after crossing Grand river in their retreat, and only "a short distance from the fort, they met an old chief and two of his sons who told them they should have their cattle. After they were about fifteen miles on their way the old chief overtook them with eight cows (the other cattle having been killed or badly wounded), and some beef for their journey; and said he would see to the burying of the three brethren who were killed. The company were not further molested on their way to Manti." (*Ibid*, p. 92).

counties founded under the provisional government of "Deseret," was the settlement at San Bernardino, California, already considered in chapter lxxxviii of this *History*. The next movement westward was in 1855, under the leadership of Elder Orson Hyde of the twelve apostles. Elder Hyde with a company of thirty-five men left Salt Lake City on the 16th of May, and arrived at their destination—Carson valley, on the west side of the Great Basin,—about the middle of June.⁵

The first settlers of Carson valley were from among the emigrants of 1849-50-51 (gold rush period), and made up of both "Mormons" and Gentiles, with the former predominating in numbers. The inducement to settlement in this valley, so far removed from the settlements on the east side of the Great Basin, aside from the attractiveness of the valley itself, was the prospect of great gain by trade with the overland emigration to California. Among the "Mormons" prominent in making these settlements was H. S. Beatie and John Reese. The former built a house on the present site of Genoa, the county seat of Douglas county, now in Nevada, and after two years of profitable emigrant trade sold out his "station" to John Reese, who in partnership with his brother Enoch continued to occupy it for several years.⁶

5. "Elder Orson Hyde wrote from Carson (in June) as follows:

'We arrived at John & Enoch Reese's Ranch in this [Carson] county on the 17th inst. We had an excellent trip, but a very fatiguing one for both man and beast. Messrs. John & Enoch Reese have a most splendid mill and ranch. The labor that has been done by them is immense. Their crops generally look well. Grasshoppers are very destructive, however, on wheat and vegetables, especially on late wheat. The harvest will be only middling on account of the insects.

Great numbers of cattle are dying on the road. So great mortality among stock on the road was never before known. It is heart-sickening to see and smell the dead carcasses on the road. The fuel is generally good on the south side of the Humbolt; but the road, the hills and mountains on this side of Hawe's ranch on the south, are very difficult for wagons to traverse.

The Big Mountain, east of Salt Lake City is not a 'patching' [i. e. circumstance] to several that we came down, all four wheels locked, and men behind with lariats to hold back and keep the wagons from ending over upon the teams. Still we got along well, and without accident. It is a miracle how we ever got over with the mill stones. But thanks be to our heavenly Father, we are all here safe and sound, and in fine spirits. The Lord has been with us, and is still with us, and I trust ever will be.'" (*History of Brigham Young, Ms.*, 1855, p. 68).

6. Bancroft's *History of Nevada*, ch. iv. The establishment of Beatie and Reese was known by all emigrants between 1851 and 1857 as "the Mormon station." (*Ibid*).

THE CARSON VALLEY SETTLEMENTS

It was a matter of duty on the part of the territory of Utah to extend government over these settlements in Carson valley, and accordingly, in 1854, the legislature passed an act creating Carson county, and Orson Hyde was appointed its probate judge.⁷ Carson county was within the third judicial district of the territory over which United States Judge George P. Stiles presided and who accompanied Elder Hyde to Carson valley for the purpose of holding court in that part of the judicial district. Joseph Heywood, United States territorial marshal went with the party to aid the court. These three gentlemen had been appointed by Governor Young to act with commissioners from California, to establish the proper boundary between Utah and California. A commission which Governor Young announced to the Utah legislature of 1855-6, and whose duties were satisfactorily executed.⁸

The year following another company of settlers went to Carson valley, in which were included a number of men who became prominent in both the civic and the ecclesiastical life of Utah;⁹ and doubtless the western side of the Great Basin, the beautiful Carson valley, would have been the scene of strong, thriving "Mormon" colonies but for the incident known as the "Utah War"—to be considered later—

7. "Under his direction an election was held, on the 20th of September, for county officers, which resulted in the election of James C. Fain for sheriff; Henry W. Niles, surveyor; Charles D. Daggett, prosecuting attorney; R. D. Sides, treasurer; H. M. Hodges and James A. Williams, constables; Nicholas Ambrosia and Henry Van Sickle, justices of the peace; Henry D. Sears, William P. Allen and James McMarlin, selectmen,—whose duties were to act as associates with the probate judge, and attend to the care of the county's poor, orphaned and insane" (Bancroft's *History of Nevada*, ch. iv). Enoch Reese was elected the representative from the county to the Utah legislature. (Whitney's *History of Utah*, vol. i, p. 551).

8. See Governor Young's Message, *Deseret News*, weekly, vol. v, Dec. 19, 1855.

9. Among these were William Jennings, afterwards, and for many years a leading merchant of Salt Lake City and for one term (1882-4) mayor of that city; Christopher Layton, after whom Layton, in Davis county, was named; Peregrine Sessions, the first settler of Sessions Settlement or Bountiful, Anson Call, of Davis county, founder of Call's Fort in Box Elder county, and William Kay, the latter the founder of Kaysville in Davis county.

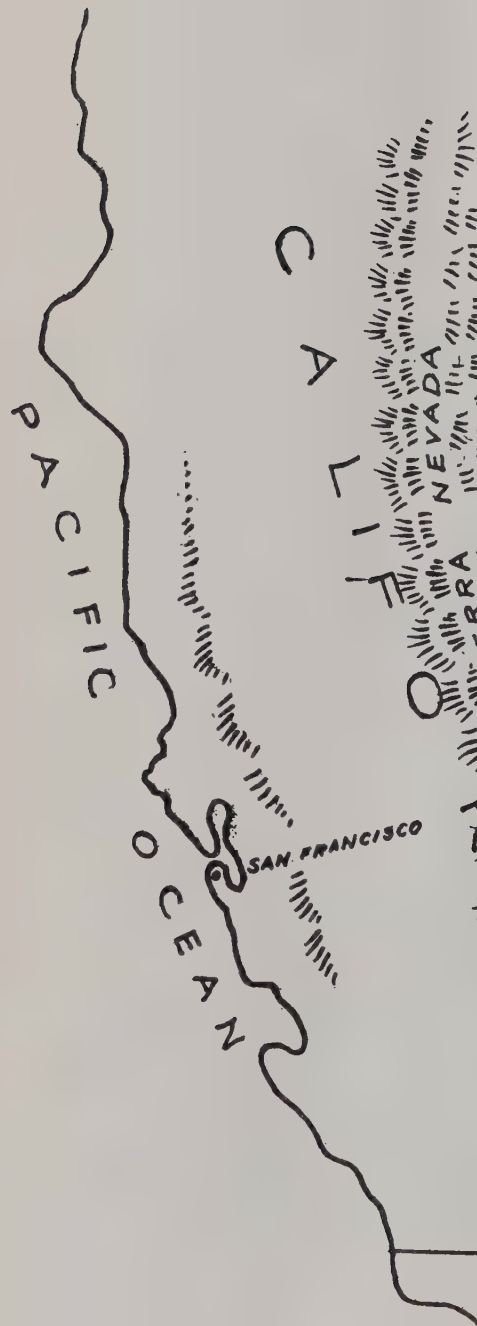
40

OREGON

1 D

42

40



EAGLE

HUMBOLT LAKE

PYRAMID LAKE

NEVADA

LAKE TAHOE

• VIRGINIA

• CARSON CITY

WALKER LAKE

REDUCTION

REDUCTION

HUMBOLT RIVER MTS

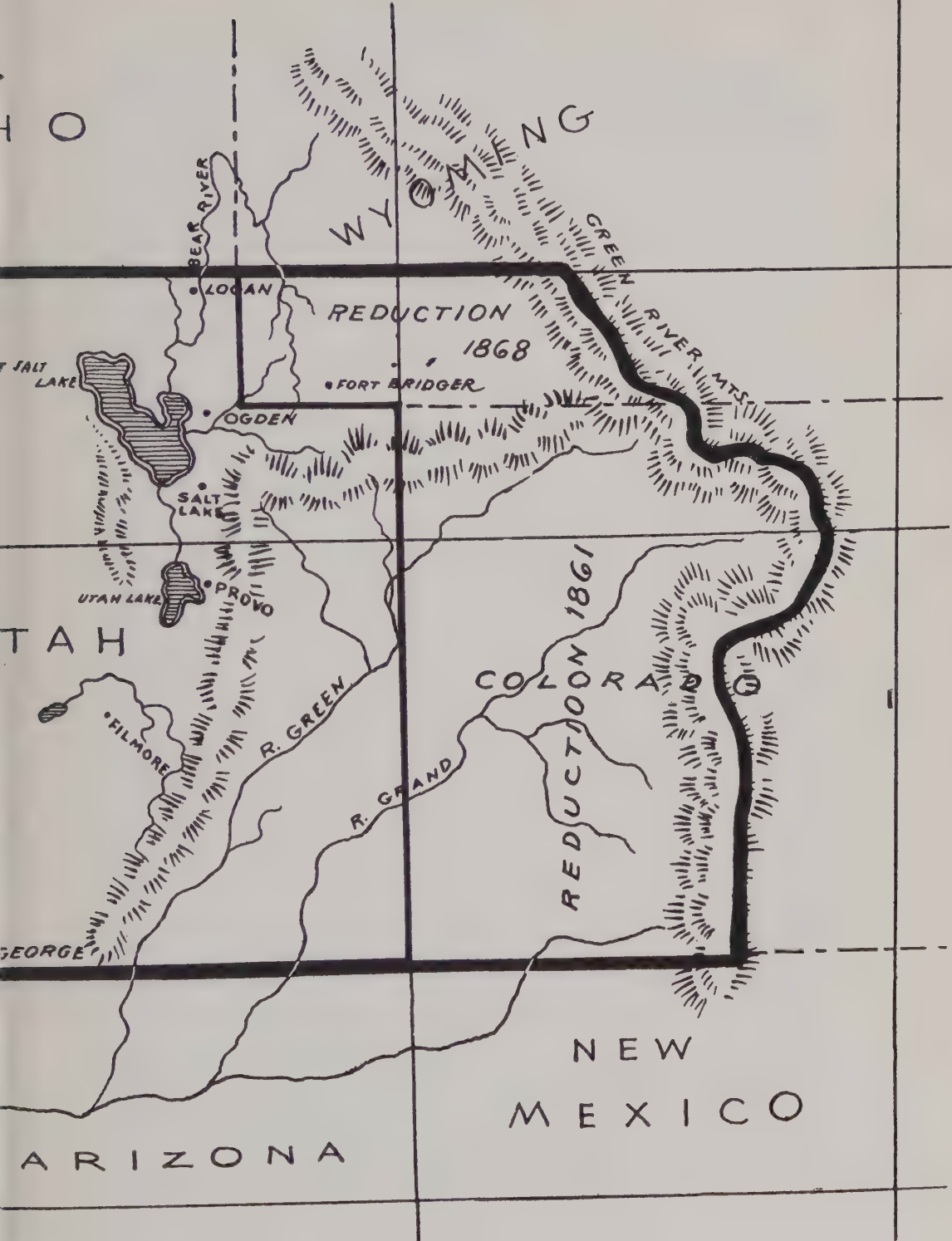
REDUCTION

1861

1862

1866

A



which led to the practical abandonment of this and other outlying settlements.

In Carson valley the saints were again in contact with a non-"Mormon" population; for the people in the Sacramento and the American river valleys no less than the people of Utah, were aware of the advantages of trading stations in that locality, and some of them hastened to establish them. Until the arrival of Orson Hyde's company of settlers, in 1855, the inhabitants of Carson valley were nearly evenly divided as between "Mormon" and non-"Mormon;" though among the former a number were classed as "Mormons" who really had no standing in the church, as they had either been excommunicated, or of themselves had fallen away from conscious union with the church.¹⁰ Always restive under the dominion of Utah territory, and also suffering some inconveniences because of the distance they were removed from the seat of the territorial government, the Gentile and indifferent "Mormons" of Carson valley had made several attempts, even before the arrival of Elder Hyde's company of settlers, to obtain either a separate territorial government or to be incorporated within the state of California; and after the departure of the main body of the saints in 1857, to meet the emergency of the "Utah War," these efforts were renewed from time to time until finally, on the 2nd of March,

10. In addition to the inducement of trading stations in the Carson valley, to the mining population of California was the added one of reputed mineral deposits in the adjacent hills and canons; so that miners as well as traders were attracted to the Carson settlements, and increased the number of non-"Mormons." During the year 1856 a conflict between "Mormons" and non-"Mormons" threatened. Orson Hyde wrote to President Young asking that an additional one hundred men be sent to strengthen the brethren already in the valley (*History of Brigham Young, Ms.*, 1856, entry for Dec. 7th, p. 1152). President Young was not in favor of sending the reinforcements, but wished that all the brethren in Carson valley were home and Hyde with them. Meantime news of the threatened disturbance reached the mining camps on the west side of the Sierras, and a number prepared to go to the aid of the non-"Mormons." Both parties, it is said, established hostile camps, and for two weeks the opposing forces were camped almost within sight of each other, "but without coming to blows." A truce was finally agreed upon by which it was provided that all should be allowed to remain on their lands. (See Bancroft's *History of Utah*, p. 591, also letter under date of Jan. 17, 1859, by the delegate-elect from Nevada, James M. Crane, published in full in Waite's *Mormon Prophet*, p. 31, et seq.).

1861, the territory of Nevada¹¹ was created by act of congress out of the western half of Utah, the eastern boundary being fixed, first at the thirty-ninth degree of longitude, west from Washington; but by act of congress in 1862 the eastern boundary was extended to the thirty-eighth degree, and by an act of the same body, in 1866, to the thirty-seventh meridian, the new territory thus being given more than one-half of the territory of Utah, as organized by congress in 1850.

The boundaries of Utah were still further cut down on the organization of Colorado as a territory in 1861. The west boundary of said territory extended to the thirty-second meridian, west from Washington, thus cutting down Utah's area by two full degrees on the eastern borders. Utah was still further despoiled of dimensions when the territory of Nebraska was organized—1854,¹² and again when Wyoming was organized in 1868. Taking advantage of the temporary abandonment of the Fort Bridger district by the Salt Lake colonies in 1857, on account of its seizure by the United States army under General A. S. Johnston, the friends of Wyoming prevailed upon congress so far as to have included this portion of Utah in the new territory, running north from the forty-first parallel of latitude and east of the 34th meridian, an area of about eight thousand square miles, leaving the territory of Utah—and now the state—an area only of about 85,000 square miles.¹³

About the time the Carson valley settlers left Salt Lake City, another company, known as the "Salmon River Lamanite Mission," consisting of twenty-seven brethren, led by Thomas S. Smith, of Davis county, started for a point on Salmon river, now in Idaho,—then Oregon—a distance

11. "The word *Nevada*—in Spanish signifying 'covered with snow,' 'white as snow,' 'snow fall'—is taken, of course, for the naming of this state, from the mountain range upon its western border." (Bancroft's *History of Nevada*, p. 23).

12. See Note 1, end of chapter.

13. Bancroft's *History of Wyoming*, p. 740. Also Bancroft's *History of Utah*, pp. 592, 623.

of three hundred and eighty miles north of Salt Lake City, where they arrived about the middle of June and erected a fort which they named "Fort Limhi."¹⁴

THE SALMON RIVER OR "LIMHI" SETTLEMENT

In the spring of 1857 President Young with a company of 115 men, 22 women, and five boys paid a visit to Fort Limhi, the purpose being to explore the country with a view to the establishment of settlements in the future. President Young remained four days and a half at Fort Limhi, during which time he held a friendly conference with the Indian chiefs in the vicinity, smoked the pipe of peace with them at the fort, and distributed gifts of blankets, tobacco, etc., with which the Indians were delighted. Among the interesting incidents of this journey is the fact that Arapeen, the brother of Walker, the Utah chief, and who succeeded Walker as war chief of the Utahs, with a number of his braves, accompanied President Young to Fort Limhi, and was present and participated in the friendly conferences with the Bannocks.¹⁵

CHIEF ARAPEEN'S VISION

Early in the year 1857, Chief Arapeen reported having had a visitation from the spirit of his brother Walker, of which the following is the record in President Young's *Ms. History*:

"*Vision of Arapeen*: Arapeen, brother of Walker, Utah chief, reported to the brethren in San Pete that he had a vision, in which Walker appeared to him, and told him not

14. *History of Brigham Young, Ms.*, entries for May and June, 1855, pp. 51 and 68. There were eleven wagons, forty-six oxen, twenty-one cows and seven horses in the expedition. Limhi is the *Book of Mormon* name of a somewhat noted Nephite chieftain or "king," who lived in the second century B. C. The name, though the "Mormon" settlement was abandoned in 1857, still survives in Idaho maps. Indeed it is the name now of the stream on which the fort was built—a tributary of Salmon river—and of the Indian reservation located in its valley. (See *Century Atlas*, map of Idaho).

15. *History of Brigham Young, Ms.*, entry for May, 1857, pp. 306-7. The account of the expedition to Limhi occupies from p. 297 to 312.

to fight the 'Mormons,' but cultivate peace with them. The Lord had revealed to Arapeen that the land was his [i. e. the Lord's] and did not belong to the Indians nor the 'Mormons;' that Walker had taken sick and died a natural death; that the Indians who stole should be whipped and have a ball and chain put on them; but it was not good to kill them and spill their blood on the land; that Arapeen was to relate what was communicated to him to President Welcome Chapman, and Counselor Higgins and Bishop Lowry (of Manti), and they would write it.

Arapeen was also informed that it was not good for the 'Mormons' to trade guns and ammunition to the Indians at present. The Lord said that by and by when all people were good, and at peace, he would live on the earth with them. Arapeen saw three personages whose garments were as white as snow and as brilliant as the sun, and he was informed that all good people would eventually appear as these personages did: the Lord often talked with Brigham and now would talk with Arapeen also."¹⁶ The frame of mind resulting from this "vision" led doubtless to the chief accompanying President Young on this expedition to the north.

"This expedition" is a fair sample of the manner in which President Young made such journeys. As stated the company consisted of 115 men, 22 women and 5 boys. There were 54 wagons and carriages, and two light boats with decking planks for ferrying. The old organization in transit of the plains was followed. There was a presidency over the camp—Young, Kimball and Wells; three chaplains, Elders Hyde, Richards and Snow (Lorenzo); a captain, R. F. Burton; a marshal, J. C. Little; sergeant of the guard, Warren S. Snow; three engineers, A. Carrington, Jesse W. Fox and T. D. Brown; two clerks, J. W. Cummings and T. D. Brown. The wagons were grouped into tens, and a

16. *History of Brigham Young, Ms.*, entries for Feb., 1855, p. 7, et seq.

captain appointed to each group. Compass courses and odometer readings marked the line of the journey, and the distances from point to point; all of which were kept in tabulated form. The best of discipline, resulting in perfect order, was maintained, and the journey made without loss or serious inconvenience. On disbanding the camp at the end of the return journey, "a united and most heartfelt vote of thanks was returned to our president," says the chronicler, "for his fatherly care and kindness, for his prudent mode of regulating the travel, noon halts, and camps; and for his most excellent example, counsels and instructions during the journey."¹⁷

The northern expedition occupied thirty-three days, and included a visit to all the settlements north of Salt Lake City.

During this period—1851-57—colonial growth also included the settlement and organization of Morgan county, northeasterly of Salt Lake county, by Jedediah Morgan Grant, Thomas Thurston and others. The county took its name from the "Morgan" in Elder Grant's name.

THE FIRST STATE CAPITAL

Southward, Millard and Washington counties were organized; and Fillmore, about one hundred and fifty miles south of Salt Lake City, in Millard county, was made the capital of the territory.¹⁸ President Fillmore was doubly honored by having both the county and the territorial capital city

17. *History of Brigham Young, Ms.*, entries for April and May, 1857, pp. 298-308.

18. The enactment of the legislature naming the capital was approved Oct. 4, 1851. Anson Call, a prominent settler in Davis county, was authorized to effect the county organization. (*Acts of the Legislative Assembly of Utah*, 1855, p. 224). The site of the capital city on Chalk Creek, in the noble and beautiful "Pauvan valley," was chosen by a commission appointed by Governor Young, viz., Orson Pratt, Albert Carrington, Jesse W. Fox, and William C. Staines. President Young, Heber C. Kimball, Geo. A. Smith, General D. H. Wells, Major Rose, sub-Indian agent, and others,—fifteen men and three boys in all—accompanied the commissioners. The site was selected on the 29th of October, 1851. "The few Indians who appeared at the city," says the chronicle, "professed great friendship, and promised good behavior to Bishop Call and company who were on the ground, ready to build a fort forthwith—a work preparatory to fencing fields and building up the city." (*Deseret News* of December 13th, 1851).

named for him. The Utah colonists believed that President Fillmore deserved well at their hands, both because of inaugurating such government as had been accorded to Utah, as also by withstanding all pressure to support the "run-away officials," and by his manifest friendliness in the appointment of their successors.¹⁹

The reason for removing the capital from the Salt Lake to the Pauvan valley, as set forth in Governor Young's message to the legislature, 1852, are as follows: The location is far more central to the territory than Salt Lake City; the Pauvan valley will sustain a large and dense population; locating the seat of government there would encourage settlers to go there and very much facilitate the settlement of all other suitable places in that region. "Under all these circumstances," concludes Governor Young, "the location of the capital at the place selected appears judicious upon its own merits, and will unquestionably advance the already prosperous and vastly increasing resources of the territory."²⁰ The city was surveyed into blocks of ten acres each, subdivided into eight lots of eight rods wide, running at right angles and with the four points of the compass. Sawmills and flouring mills were soon erected; also a city hall and a schoolhouse. Work on the state house was begun, and the south wing of it completed by December, 1855, at a cost of about \$32,000 dollars. This wing of the state house was built of stone, the dimensions being 41 feet 4 inches wide, by 61 feet 8 inches long. There was a basement and two stories. The basement was 10 feet high, the first story 12,

19. The following toasts in honor of Mr. Fillmore were given at the 4th of July celebration in Salt Lake City, 1853:

"*Ex-President Fillmore*: May his retirement be as happy and prosperous as his administration was successful and glorious; and the American people learn to know and appreciate their good men before they lose them."—*D. H. Wells*.

"*Franklin Pierce*: May his conduct in the presidential chair towards the 'Bee Hive State' be as that of Millard Fillmore."—*W. W. Phelps*. (*Deseret News*, July 10th, 1853).

20. Governor Young's Message to the Legislature, Jan. 5th, 1852, *Deseret News* of Jan. 10th, 1852.

and the second 14 feet 6 inches to the spring of the arch. A cut of the building as far as it was completed accompanies this chapter, showing it as it stands today.²¹

THE ONE AND ONLY SESSION OF THE LEGISLATURE AT THE NEW CAPITAL

Fillmore did not long enjoy the distinction of being the capital of the territory. One session only of the legislature was held there, that of 1855-56,²² which continued through forty days; and for that winter Fillmore was the center of the officialdom of Utah, since, in addition to Governor Young, Secretary Almon W. Babbitt—successor to Secretary Ferris—and members of the legislature, there were present that winter in the half-built frontier town, Judges J. F. Kinney, G. P. Stiles, and W. W. Drummond of the supreme court; marshal of the territory, J. L. Heywood, T. R. King, probate judge of Millard county, and Amasa M. Lyman and Erastus Snow of the council of the apostles, all of whom were accorded the freedom of the floor of the general assembly.²³

Heber C. Kimball was president of the council and Jedediah M. Grant speaker of the house.²⁴

PUBLIC BUILDINGS OF THIS PERIOD WHICH BECAME FAMOUS

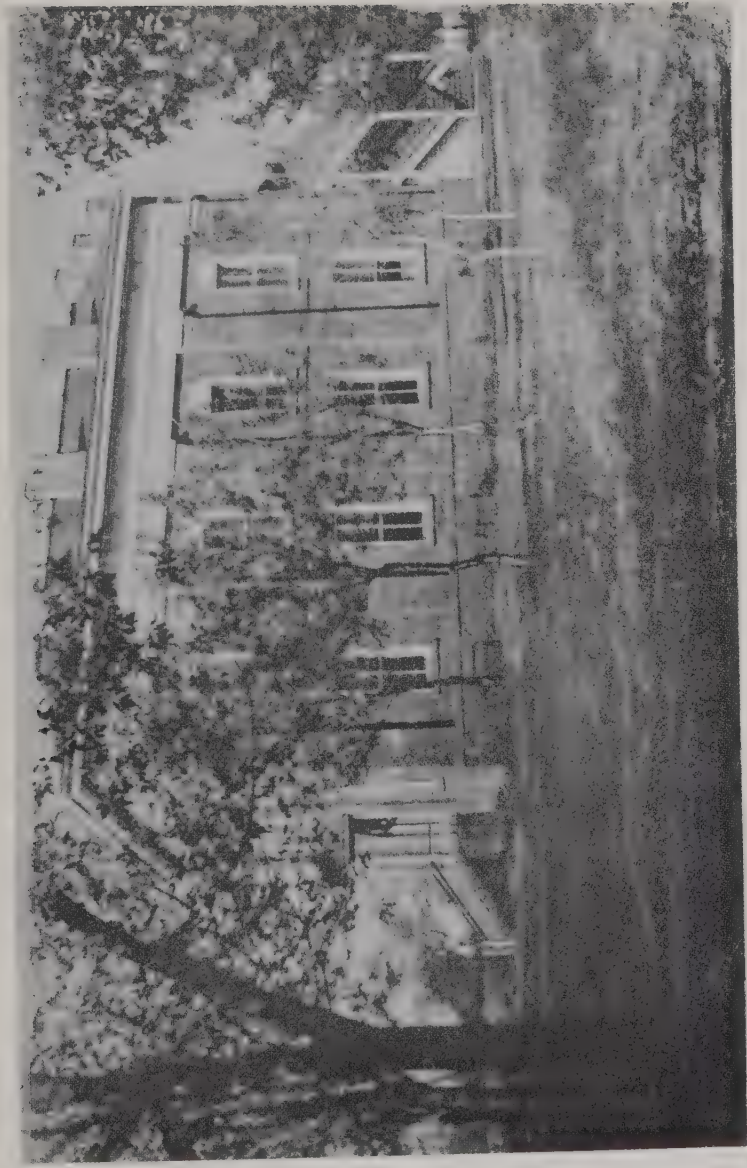
Within the period covered in this chapter a number of

21. The estimated cost was \$40,000; but according to a statement in Governor Young's message of 1855, the expenditure on the building in excess of the government appropriation up to that time, (\$20,000), had been \$12,000. (See Governor Young's Message, *Deseret News*, December 19, 1855, p. 324). The \$20,000 appropriation for public buildings on the organization of the territory, 1850, first expended by the governor on a purchase of the "Old Council House" for state purposes until the state house at Fillmore could be "completed for the sitting of the legislature," (*Deseret News*, Feb. 7th, 1852), was returned to the territory, and the "Old Council House" reverted to the possession of the church. "The design of the architect," (of the new capitol), says Colonel Albert G. Brown, Jun., in the *Atlantic Monthly*, (May, 1859, p. 573), "is for a very magnificent edifice in the shape of a Greek cross, with a rotunda sixty feet in diameter. Only one wing has been completed, but this is spacious enough to furnish all needful accommodations. The material is rough hammered sandstone of an intense red."

22. It appears that for a number of years afterwards there was some formality kept up by which the legislature continued to meet at Fillmore, but only to adjourn to Salt Lake City. (Whitney's *History of Utah*, vol. i, p. 545; also Linn's *Story of the Mormons*, p. 458 and note).

23. *Deseret News* of Dec. 19, 1855.

24. *Ibid.*



THE OLD STATE HOUSE, FILLMORE, UTAH

Still standing and made a state Museum.

Built 1855.

the public buildings which are regarded as historical in Utah were erected or begun. Among them the "Old Council House." This was the first permanent public building erected in Salt Lake City. It was of red sandstone, 45 feet square and two stories in height. A large hall and two office rooms occupied each floor. The structure was begun on the 26th of February, 1849,²⁵ and completed by December, 1850. It was designed as a "general council house" for the church; but was also used by the provisional "State of Deseret" as a "state house." During the early days of Utah the territorial legislature met there, and for a number of years it housed the territorial public library. It was also used for sacred purposes. Under instructions from President Young, Heber C. Kimball on the 7th of July, 1852, resumed the administration of endowment ordinances to the saints in it, which privilege had been suspended since the expulsion from Nauvoo.²⁶ It was also occupied by the "University of Deseret" for a number of years, beginning in March, 1869. It was destroyed by fire on the 21st of June, 1883. The "Council House" stood on the southwest corner of South Temple and Main streets, the site now occupied by the Deseret News Building.

Also the "Social Hall," on the east side of State street between South Temple and 1st South street, Salt Lake City. It was built in 1852, but not opened for use until the first of January, 1853. It was built of adobes and in dimensions was 73x33 feet, having two floors, a basement and a main floor. It was built for uses implied by its name, social and semi-social functions, balls, feasts, amateur theatricals, birthday anniversaries of prominent persons, and the like.²⁷

25. *History of Brigham Young, Ms.*, Feb., 1849, p. 23.

26. *Ibid*, entry for July, 1852, p. 62.

27. "The balls at the social hall," says Captain Burton, of the British army, (1860) "are highly select, and are conducted on an expensive scale; invitations are issued on embossed, bordered, and gilt-edge white paper, say to 75-80 of the *elite*, including a few of the chief Gentiles." He gives a *facsimile* of an invitation to a social function, "Tickets \$10.00 per couple." "The \$10 per ticket will admit only one lady with the gentleman; for all extra, \$2 each must be paid. In less splendid fetes \$2.50 would be the total price." (*City of the Saints*, pp. 230-231). See also

It was also used for more serious purposes. Some sessions of the legislature were held there,²⁸ and council meetings of the priesthood were frequent. The "Social Hall" gave place to the modern improvements of automobile "gas stations."

On the opposite side of the street, and between First and Second South, was the "Seventies Hall of Science," later known by the less pretentious name of the "Seventies Hall." This was also an adobe building, 50x30 inside measurement, erected to accommodate as a meeting place and class room for the seventies who constitute, in the main, as already explained in a former chapter, the foreign missionary force of the church.²⁹ The "Seventies Hall" has long since been displaced by more pretentious buildings; but the fact of its once having had an existence is mute testimony of the early ambition for learning on the part of the seventies, the foreign preaching ministry of the church.

In this same period also the "Old Tabernacle"³⁰ was built on the southwest corner of temple block, on the site now occupied by the "Assembly Hall." This building was 126 feet long by 64 feet wide, the ceiling was arched without a pillar, and capable of seating 2,200 persons (some put the seating capacity at 3,000), an auditorium such as was not to be

Deseret News for January 11th, where a detailed account is given of a legislative party, "Given at the social hall by the governor and legislative assembly, on Monday, Jan. 1st, 1855, in compliment to Judge Kinney—his associates—other United States officers of the territory—and Lieutenant Colonel Steptoe of the United States Army—with the officers in command."

28. "At one time," remarks O. F. Whitney, "the legislature and the district court occupied the hall simultaneously. The council sat upon the stage, the house in the auditorium, and the court in the dressing room under the stage." (Whitney's *School History of Utah*, p. 65 note).

29. "The Seventies Hall of Science" was begun late in 1850, the resolution to build being passed on the 27th of November of that year. Joseph Young, brother to Brigham Young, and senior president of the seventies was appointed trustee and superintendent of the work. Shares in the building were placed at twenty-five dollars each, and the "seventies abroad" were invited to purchase. It was dedicated Dec. 25th, 1854, and cost \$3,500. (See General Epistle of the Presidency, April 7th, 1851, *Millennial Star*, vol. xiii, p. 212).

30. The descriptive term "Old" was not applied to this tabernacle erected in 1851-52, until the large tabernacle now occupying the west center of temple square was began; with which it should not be confounded. (Proceedings of the dedicatory services of the "Old Tabernacle" are to be found in the *Deseret News* of the 17th of April, 1852; also *History of Brigham Young, Ms.*, April, 1852, pp. 38, 39).

found in any other frontier town in western America. It was dedicated to the sacred purposes to which it was devoted—the public worship of God and religious instruction—on the 6th of April, 1852, amid great rejoicing of the people.³¹

The “Tabernacle,” however, by the time it was completed, was still inadequate to accommodate the public, and a “bowery,” 156 feet long, and 138 feet wide, capable of seating an audience of 8,000, was attached on the north;³² but as this was not roofed in, except by an annual supply of “brush” for shade, it could only be used in the summer season.

In the northwest corner of the temple square stood the “Endowment House,” erected in this period. It was an adobe, two story structure, flanked by two one story wings, and built for the purpose implied in its name—the solemnization of temple endowment ceremonies—pending the erection of the temple. It was dedicated to its sacred purposes on the 5th of May, 1855, and remained in use, with little interruption, for thirty-four years, when it was taken down by order of Wilford Woodruff, in the spring of 1889, because of rumors that plural marriages, contrary to the law of the land, were being solemnized in the building.³³

THE BEGINNING OF THE SALT LAKE TEMPLE

Within the period being considered the great Salt Lake temple was begun. From the time of leaving the temple at

31. “When the doors of the tabernacle were thrown open at 9 a. m. the people rushed in, as if flood gates of a mighty reservoir had given way, and in a very few minutes all the seats were occupied, so great was the desire of the saints to hear the teachings of the servants of the Lord.” (*Deseret News*, April 17th, 1852). The dedication inspired two hymns, one by W. W. Phelps, “In Deseret We’re Free;” and one by Eliza R. Snow Smith, “The Son of God Will Come.” The first was but short lived, the second has survived, and is still sung by the saints, and is worthy a permanent place in the hymnology of the church.

32. *Liverpool Route*, p. 109. Burton says 3,000. “The place was a kind of a ‘hangar,’ about 100 feet long by the same breadth, with a roofing of brushes and boughs, supported by rough posts, and open for ventilation on the sides; it can contain about 3,000 souls.” It will be observed that Burton is mistaken in his dimensions.

33. Official Declaration of Wilford Woodruff, Conference Proceedings, October 6, 1890.

Nauvoo, the building of another and a grander temple was constantly held before the vision of the westward migrating saints. In the "Old Tabernacle," during the second conference that was held within its walls, namely, in October, 1852, the vote to build the temple was taken on the 9th of October,³⁴ after discourses upon the subject by Elder Heber C. Kimball, Geo. A. Smith, and John Taylor; and on the 14th of February following, ground was broken in the presence of several thousand people, who formed a hollow square round the plat that had been surveyed. All the civil and military organizations of the city were present, and several bands of music. President Young and others addressed the multitude.³⁵ Ground was broken at the southeast corner by President Young;³⁶ who afterwards dismissed the people. "But the day being pleasant many remained to work on the excavation, and much earth was removed that afternoon," says the chronicle.

34. "It was voted unanimously that the temple be built of the best material that can be obtained in the mountains of North America." (*History of Brigham Young, Ms.*, 1852, p. 86).

35. Among other interesting remarks in reviewing the past, and speaking of the future glory of the work, President Young delivered the following respecting revelation as pertaining to temple building:

"Some might query whether a revelation had been given to build a house to the Lord, but he is a wicked and slothful servant who doeth nothing but what his Lord commandeth, when he knoweth his master's will. I know a temple is needed and so do you; and when we know a thing, why do we need a revelation to compel us to do that thing? If the Lord and all the people want a revelation, I can give one concerning this temple.

In a few days I shall be able to give a plan of the temple on paper, and then if all heaven, or any good man, will suggest any improvements, we will receive and adopt them. * * *

Brother Joseph often remarked that a revelation was no more necessary to build a temple than a dwelling house; if a man knew he needed a kitchen, a bedroom, a cook room, etc., he needed no revelation to inform him of the fact; and I, and my brethren around me, know what is wanting in a temple—having received all the ordinances belonging therein—just as well as we do what is wanting in a convenient dwelling house." (*Millennial Star*, vol. xv, pp. 391-2).

36. The ground was frozen to the depth of about six inches. "After the earth was loosed around, about six inches deep, President Young said it was his privilege to remove that, and took a lump about one foot square upon his spade, and lifted it high up, and said—'get out of my way, for I am going to throw this,' and there he held it, about one minute, before he could get room to lay it down from off the temple site, so dense was the multitude around." (*Deseret News*, Feb. 19, 1853).

CORNER STONES OF THE SALT LAKE TEMPLE LAID

On the sixth of April, of the same year, the corner stones were laid with becoming ceremonies and amid great rejoicing. Many bands of music were present, together with civic, military, and religious orders in attendance. The southeast corner stone was laid by President Young and his counselors—the presidency of the high priesthood of the church; the southwest corner stone by Presiding Bishop Hunter and his counselors—the presidency of the Aaronic priesthood of the church; the northwest corner stone was laid by John Young, president of the high priests quorum of the Salt Lake stake, assisted by the high council of the stake; the northeast corner stone was laid by the twelve apostles, the general presidency of the seventies and the presidency of the elders.³⁷

Thus the corner stones of the Salt Lake temple were laid—just twelve years from the time the corner stones of the Nauvoo temple were laid. But thirty-nine years must elapse before the saints shall bring the capstone to its place with rejoicing; and forty years before they shall see it brought to completion and dedicated to God in whose honor its

37. The same sequence of laying the corner stones was observed as at Nauvoo, under the direction of the Prophet Joseph; but there was a slight variation in the grade of officers who officiated at the respective corner stones, except as to the first, or southeast corner, at which the first presidency in each case officiated. In Nauvoo the presidency of the Nauvoo stake officiated at the southwest corner; at the northwest corner the high council of the Nauvoo stake officiated; and at the northeast corner the presiding bishop of the church officiated (*History of the Church*, Period I, vol. iv, ch. xvii). The variation was not important, as President Young noted and explained. The Prophet Joseph, after giving the proper sequence in which the corner stones of temples should be laid, said: "The first presidency should lay the southeast corner stone, and dictate who are the proper persons to lay the other corner stones. If a temple is built at a distance, and the first presidency are not present, then the quorum of the twelve apostles are the persons to dictate the order for that temple." (*History of the Church*, Period I, vol. iv, p. 331). From the above it would appear that the personnel of those officiating at the respective corner stones, after the first is laid, may vary, since some discretion seems to be lodged with the authorities laying the southeast corner stones, as to those who shall be appointed to officiate at the other corners. The fact that the twelve were absent in England when the corner stones of the Nauvoo temple were laid, accounts for the fact that they took no part in the ceremonies of laying the corner stones of the temple at Nauvoo. (The proceedings and ceremonies on the occasion of laying the corner stones of the Salt Lake temple, together with the speeches, prayers and remarks on the above interesting occasion, will be found in the *Deseret News* of April 16th, 1853; also in *Millennial Star*, vol. xv, Nos. 29 and 30).

foundations were laid, and to whose glory its noble, granite walls and splendid towers were upbuilt.

THE TEMPLE A TESTIMONY OF THE SAINTS IN STONE

It may be instructive, as giving an insight into the character of these men—the church leaders, and this small frontier community, who on the 14th day of February broke the ground for, and on the 6th day of April, 1853, laid the corner stones of this sacred structure—(which has since become world-famed)—if we are here informed that its foundations, which they then began, were 193 feet east and west through the center of the building, embracing the footings of the walls; 125 feet north and south through the center of the towers, including the footings of the walls; that these dimensions cover an area of 21,850 square feet; that the foundations begun that day were laid 16 feet deep, and 16 feet broad at the base, tapering on each side to 8 feet in width, from which rise the walls eight feet thick in the first story, but reduced by stages in the second story to 6 feet—to the height of 107 feet 6 inches; the east center tower rising to 210 feet high, the west center tower being 6 feet less in height.³⁸

The Latter-day Saint community then laying the foundation of this great structure in the western wilderness numbered in the territory of Utah less than twenty thousand souls—men, women and children; and less than six thousand Latter-day Saints in Salt Lake City,³⁹ and they had not yet

38. *Liverpool Route*, p. 109. The dimensions are given from the architect's plans, 1854, by the Church Historian, Geo. A. Smith, (*Millennial Star*, vol. xvi, pp. 635-6), from which there were but slight variations as the building progressed towards its completion. The variations in descriptions in other works than in the text, arise from taking the ground level measurements instead of including the footing of the foundations. The height of the side walls usually given as 167 feet is an error; 107 is the right measurement.

39. The exact figures are: In the territory, 18,206; in Salt Lake City, 5,979. The numbers here given are from the reports of the bishops at the October conference, 1853. (*History of Brigham Young, Ms.*, entry for October, 1853, p. 127). There is some discrepancy between the census tabulated at this conference, from the reports of the bishops, and the census dealing with the population of the territory at this time, given in this *History*, chapter xcii. The difference is accounted for, in

been six years upon the ground. An undertaking so immense and begun under such circumstances, shows the church leaders to be men of large vision, and presents both the leaders and the people to the view of history as possessed of splendid courage and sublime faith in their mission and destiny. Nor did their faith in their ability to achieve result in disappointment. Realization in this case even outran anticipation; for while this noble granite structure slowly rose through the years to its completion, three other temples were built in various parts of the territory,⁴⁰ second only in solidity and grandeur, in the western country, at the time of their completion, to this temple in Salt Lake City. And meantime the saints were engaged in many other activities and enterprises of both a public and private character that enter into the building of a state, the enlargement of a church, and the world-wide promulgation of a religion.

NOTES

1. GOVERNOR YOUNG'S LETTER TO SENATOR STEPHEN A. DOUGLAS ON REMOVING THE EASTERN LINE OF UTAH FROM THE SUMMIT OF THE ROCKY MOUNTAINS

In the midst of the agitation which arose over the organization of Nebraska and Kansas territories, in 1854, when it was proposed to remove the east line of Utah from the summit of the Rocky Mountains to the eastern rim of the Great Basin, Governor Young wrote a very interesting letter to his friend, Senator Stephen A. Douglas, of which he gives the following account in his *Ms. History*:

"April 29th [1854]: I wrote to Honorable Stephen A. Douglas that it was rumored that James Bridger from Black's Fork of Green river, had become the oracle to congress in all matters pertaining to Utah. That he had informed congress (as well as the *Missouri*

part at least, by the fact that the figures above give the number of church members in the territory; the former, that of the entire population. The difference, however, would show the Gentile population too large; "in 1853," says the authority formerly quoted (Burton), "the saints were reckoned at 25,000 by the Gentiles, and from 30,000 to 35,000 by Mr. Orson Pratt, in the *Seer*." Taking the smaller figure for the basis of comparison, and accepting the above named conference reports as representing the Latter-day Saint population at 18,206, it would represent the Gentile population at 6,794, or nearly seven thousand non-"Mormons" in Utah, which is altogether too large.

40. For an account of the location, structure and appearance of these temples, see *The House of the Lord. A Study in Holy Sanctuaries, Ancient and Modern*, James E. Talmage, 1912.

Democrat) that Utah had dared to assess and collect taxes—that the ‘Mormons’ must have killed Captain Gunnison because the Pahvantes had no guns—that the ‘Mormons’ are an outrageous set, with no redeeming qualities.

I expressed my astonishment that Bridger should be sought after for *information on any point* when a gentleman like Delegate Bernhisel was accessible, and forwarded the depositions of two strangers who had voluntarily given the same relative to the uncivilized conversation and conduct of Mr. Bridger.

As to the organization of the two territories, Kansas and Nebraska, and the removal of the eastern boundary line of Utah from the summit of the Rocky Mountains to the eastern rim of what is called the Great Basin it looked to me like two faces under one hood, or like a card faced on both sides; one side for all ‘Mormon’-hating, legal voters, with this sentiment in relief. ‘Can you not see that the Mormons are no pets of ours; we have curtailed them of nearly half their territory, without the least shadow of reason for so doing, and manifestly to the disadvantage of all settlers between the present and former eastern boundary.’ On the other side. ‘Oh you dearly beloved Mormons, please observe that you have still quite a scope of mountain, desert and arid plain, and how thankful you should be that you have any portion left you, when the wire workers are so powerful against you.’

The following paragraphs concluded my letter:

‘No doubt many fancy that they have now succeeded in nearly swallowing us up, please say to all such that I am sanguine that the ‘Mormons’ are still here in their central position and are laboring diligently and earnestly as heretofore, for the peace, union, prosperity and welfare of ourselves, for our common country, and in fine of all mankind, at an altitude of over four thousand feet above the strata of tumult, turmoil and strife that are occupying the time and energies of the great majority of the human family. In all frankness, friend Douglas, I shall feel exceedingly obliged by the organization of the two proposed territories, and with their proposed boundaries, for in Nebraska our population is even now the majority and we had contemplated making several settlements therein in a short time, and thus you see that we stand every chance of having two territories in lieu of one.’

I also called for an expression of Judge Douglas’ views on the Pacific railroad question, and informed him that whatever route it should be constructed upon, it would be the very best one for the interest of Utah and precisely where we would rather have it.”

No territory was at that time taken from Utah, but subsequently, 1861, a triangular piece on the western slope of the Rocky Mountains was granted to Nebraska, which was finally included in the territory of Wyoming.⁴¹

41. *American Encyclopedia*, vol. xii, p. 198; *History of Brigham Young, Ms.*, 1854, pp. 33-36.

2. OPENING CEREMONIES OF LAYING THE FOUNDATION STONES
OF THE SALT LAKE TEMPLE, APRIL 6TH, 1853

Wednesday, April 6, 1853, could not have dawned a more lovely day, or have been more satisfactory to saints or angels. The distant valleys sent forth their inhabitants, this valley swarmed forth its thousands, and a more glorious sight has not been seen for generations than at Great Salt Lake City this day.

The Deseret National flag was unfurled to the breeze. The Nauvoo Brass Band, Captain Balloo's Band, and the Military Band, enlivened the air with their sweetest strains. The Silver Greys made a venerable appearance, and the minute men, true to their duty, were at their posts at an early hour. The police, under the efficient management of Captain Hardy, were at their posts at the time appointed; and the countenances of the saints were as glad and cheerful as though each had been favored with the visitation of an angel. So opened the general conference of the Church of Jesus Christ of Latter-day Saints in Great Salt Lake City, which was called to order in the tabernacle, by President Young, at ten a. m.

Present:—Of the first presidency: Brigham Young, Heber C. Kimball, and Willard Richards.

Presiding patriarch: John Smith.

Of the quorum of the twelve: O. Hyde, Parley P. Pratt, John Taylor, W. Woodruff, E. T. Benson, G. A. Smith, A. Lyman, C. C. Rich, L. Snow, E. Snow, and Franklin D. Richards.

Of the presidents of the seventies: Joseph Young, L. Hancock, Z. Pulsipher, H. Herriman, B. L. Clapp, A. P. Rockwood, and J. M. Grant.

Presidency of the high priests' quorum: John Young, R. Cahoon, and G. B. Wallace.

President of the stake: David Fullmer.

High council of Zion, presidency of the elders' quorum.

Presiding bishop: Edward Hunter.

Clerk of conference: Thomas Bullock.

Reporter: G. D. Watt.

President Young made a few introductory remarks to the saints; said that in a few years, "we may have a place sufficiently large to accommodate the saints, although twenty-three years ago, the church was organized with only six members."

Choir sung "On Mountain Tops in Latter-days," etc.

Prayer by John Taylor. Choir sung, "Come All Ye Sons of Zion," etc.

The "order of the day" was next read by the clerk.

President Young rejoiced on opening the conference under such favorable auspices.

The procession then formed at the vestry door in the following order—

- | | |
|--|---------|
| 1st. Martial music. | Colors. |
| 2nd. Nauvoo Brass Band. | " |
| 3rd. Balloo's Band. | " |
| 4th. Captain Pettegrew with relief guards. | " |
| 5th. Singers. | |
| 6th. First president and counselors, and aged patriarch. | |
| 7th. The twelve apostles, first presidency of the seventies, and president and counselors of the elders' quorum. | |
| 8th. President of the high priests' quorum, and counselors, in connection with the president of the stake, and the high council. | |
| 9th. Presiding bishop, with his counselors; and the presidents of the lesser priesthood, and their counselors. | |
| 10th. Architects and workmen selected for the day, with banner, representing "Zion's Workmen." | |
| 11th. Captain Merrill, with relief guard, in uniform. | |

The procession then marched through the line of guards to the southeast corner of the temple ground, the singers taking their position in the center, the Nauvoo brass band on the west bank, and the martial band on the mound southwest. Captains Pettegrew, Hardy, and Merrill, with their commands, occupying the front of the bank (which was sixteen feet deep), and moving from corner to corner with the laying of the several stones, prevented an undue rush of the people, which might, by an excavation, have endangered the lives of many, when President Young, Kimball, and Richards, with Patriarch John Smith, proceeded to lay the southeast corner stone, and ascended the top thereof, the choir sung the following song—

Deep in this holy ground
 These corner stones are laid;
 Rejoicing thousands round,
 O God, implore thine aid,
 That Zion now may prospered be,
 And rear a temple unto Thee.

How long before thy throne
 Shall holy martyrs bleed?
 How long shall spirits groan,
 And angels mercy plead?
 Full long we've toiled, full long have bled,
 To bring redemption to our dead.

Here let thy name be known,
 Thy blessings manifest,
 That men thy truth may own,
 And in thy courts be blessed,
 All nations feel thy power divine,
 And come and worship at thy shrine.

This was followed by an "oration" by President Brigham Young, near the close of which he said: "We dedicate the southeast corner stone

of this temple, to the Most High God. May it remain in peace till it has done its work, and until he who has inspired our hearts to fulfill the prophecies of his holy prophets, that the House of the Lord should be reared in the 'Top of the Mountains,' shall be satisfied, and say, it is enough."⁴²

Similar services were held at each of the other corner stones of the sacred structure.

42. *Deseret News*, April 16th, 1853.

CHAPTER XCV

MISCELLANEOUS EVENTS, 1851-7 (CONT'D)—EFFORTS AT DEVELOPMENT OF MEANS OF COMMUNICATION—INDIAN WAR OF 1853—THE GUNNISON MASSACRE

THE policy of encouraging domestic manufactures adopted by the "State of Deseret" was continued under the regime of the territory of Utah, especially in the period with which this chapter is dealing. Both in the general epistles of the presidency of the church and in his messages as governor, Brigham Young emphasized the importance of establishing home manufactures; and in these documents notes the advancement made in these industries.

ENCOURAGEMENT TO DOMESTIC MANUFACTURES

Thus in a supplement to the general epistle of April 7th, 1851, the presidency of the church said:

"It is our wish that the presidency in England, France, and other places should search out such practical operators in the manufacture of sugar as fully understand their business, and forward them to this place, with all such apparatus as may be needed and cannot be procured here."¹

In the sixth general epistle from Salt Lake valley the presidency in noting the progress of manufactures, said:

" 'The Deseret Pottery' is in successful operation, some good light yellow ware was drawn from the kiln, June 27th, and white ware is soon expected. It is anticipated that the valley materials for making crockery and china ware, will be equal to any other place; and that the pottery will soon be able to supply this market. Good potters are wanted. A carding machine is in operation and doing extensive business in this valley; also one in Utah [valley], and others in progress.

There are four grain and five saw mills in operation, or nearly completed in Great Salt Lake county; also two grain and two saw mills in Weber county; one grain and two saw mills in Davis county; two grain and three saw mills in Utah county; one grain and two saw mills in San Pete county; one grain and one saw mill in Iron county; and one

1. *Millennial Star*, vol. xiii, p. 227.

saw mill in Tooele county; and an increasing desire and exertion to promote domestic manufactures prevails throughout the territory."

In his message to the legislature, 1852, Governor Young made the following statement on domestic manufactures:

"*Domestic Manufactures*, I am happy to state, are in a flourishing condition; considerable qualities of leather and crockery having found their way into market, and a large amount of clothing has been made, principally by the hands of the 'good housewife,' who thereby adds dignity to her station and reflects credit and honor upon her household. Specimens of iron have also been forwarded from the works in Iron county, which for the first run, was exceedingly flattering. It separates well, but owing to the sulphur in the coal not being sufficiently extracted, was thereby injured; but a little experience in combining materials, and continued effort, it is believed, will soon produce that article in great abundance, and of good quality. A liberal hand should be extended unto the enterprising men who have nobly devoted their time, under circumstances of penury and want, in producing an article of so much moment as iron, to the urgent necessities, and future wealth of the territory. It will soon pay its own way, and become a source of profit to the producers; but until returns can be received, the enterprise exhausts the means of operators, and they should be relieved by the public funds. * * * I am also happy to announce the arrival in our territory, of the machinery for the manufacture of sugar from the beet. The machinery, and operators who have been accustomed to the manufacture of that article from the beet, have come together from the 'Old World,' and being under the direction of energetic, enterprising, and able men, will doubtless soon furnish an abundant supply of that article, for the wants of the people."²

The governor was equally observant of the labors of the people in their homes in producing domestic manufactures, as evidenced by the following, which he had recorded in his *Journal*:

"Sister Hulda Duncan of Davis county, between Aug. 5, 1854, and January 27th, (1855), wove 194 yards of jeans, 508 of linsey and 64 of flannel, besides doing other work. Much cloth of the kinds named, and large quantities of rag carpeting have also been man-

2. *Deseret News*, Dec. 25, 1852. The governor notes that the legislature had appropriated \$2,000 to further the enterprise of running a woolen factory, and that a Mr. Gaunt declined the appropriation, "the terms in his estimation being too stringent." "He has, however," continues the governor, "with that indomitable energy, which so strongly characterizes the man, progressed in the work, slowly it is true, but he is now weaving and by another year, will be enabled to do an extensive business." (*Ibid.*)

ufactured the past year in Utah. This was done by looms and spinning wheels of a very primitive character."³

Encouragement of domestic manufactures, then, may be written down as the policy of Brigham Young—a policy most willingly accepted and followed by the Latter-day Saints—both as president of the church and governor of the territory; but always, it should be remembered, under the spirit of his declaration to the legislature of the "State of Deseret," in 1850, wherein, though he announced himself as in favor of encouraging and aiding home manufactures, he was opposed to such governmental aid, or such combinations of capital, as would result in monopoly against labor.⁴ In the early days of the territory, however, and one may say it for Utah throughout the territorial period, manufacturing was of slow development.

"Manufacturing," says H. H. Bancroft, "is seldom a profitable industry in new countries, even from materials native to them, and under the most favorable conditions. It is doubtful whether this branch of enterprise, throughout the Pacific slope, yielded, on an average, six per cent on the entire capital invested, and it is doubtful whether even this average was obtained in Utah."

EARLY METHODS OF COMMUNICATION

Next in interest to the manufactures of the period was the development of means of communication between the settlements, and also with the outside world, both east and west; the establishment of mail and express routes, and carrying companies. The means of communication between the moving camps of the church, and also with the Mormon Battalion and those camps, have been described in a previous

3. *History of Brigham Young, Ms.*, entry for February, 1855, p. 19. Two years previous to this President Young said: "We are going in for home manufactures pretty extensively. My own family alone have this season manufactured over five hundred yards of cloth, and the homemade frequently makes its appearance in our streets and in our gatherings. (*History of Brigham Young, Ms.*, entry for Feb., 1852, pp. 15, 16).

4. This *History*, chapter xci.

chapter. For some time in Utah means had to be improvised by the settlers themselves for communication both among the settlements and with the outside world. These means were various. Sometimes a courier sent with a special message from headquarters to a distant settlement or from a distant settlement to headquarters, carried other messages, and letters and light packages. The departing caravans for distant colonies, or passing emigrant trains east or west were entrusted with the "mail" for settlements through which they would pass, or for migrating companies they would meet, or be likely to overtake. It was generally a matter of accommodation, the acceptance of this trust to receive and deliver mail in those pioneering times, and yet it was service willingly undertaken and faithfully discharged.

ESTABLISHMENT OF UNITED STATES POSTAL SERVICE IN "DESERET" —UTAH

In the winter of 1849 the federal government established a post office at Salt Lake City and appointed Joseph L. Heywood postmaster, and authorized a bi-monthly mail between Kanesville and Great Salt Lake City. It was a permissive act rather than a mandatory opening of a mail route, however, since the arrangement was made for Almon W. Babbitt to carry the mail at his own expense. He ran it in connection with his "carrying and transportation company," between Kanesville and the west. The entry in Brigham Young's *History* on this point is as follows:

"This winter the federal government established a post office at Great Salt Lake City and appointed Joseph L. Heywood postmaster and also instituted a bi-monthly mail between Kanesville and Great Salt Lake City. Almon W. Babbitt engaged to carry the mail at his own expense and charges for the net proceeds."⁵

It was not until 1850, however, that the United States

5. *History of Brigham Young, Ms.*, entry for Feb., 1849, p. 25. Bancroft says, "The first post office was established in March, 1849 [i. e. in Salt Lake City], letters being usually delivered before that date at the conclusion of divine service on the Sabbath at the several places of worship." (*History of Utah*, p. 769).

postal service was effectively extended to Salt Lake City; and was very tardily enlarged to include even the principal settlements of the territory, notwithstanding the desire of the Utah colonists to enjoy this service so essential to civilized communities.

In the fourth general epistle of the presidency of the church, Sept. 27, 1850, the following passage on the subject in hand occurs: "The government of the Union has been very tardy in rendering any facilities of communication between themselves and the 'State of Deseret,' and having been left to our own resources for information, on the second of August, brother John Y. Green was dispatched to Kaneshville with a mail, and on the 15th Elder O. Hyde arrived with a mail from Kane post office; also bringing with him the *Frontier Guardian*, the only file of newspapers we are in possession of from any part of the earth for the past year." The citizens of Iron county, petitioned the government at Washington, praying for a mail route and post office at that point, dated at "Little Salt Lake, January 28th, 1851;" and likewise they petitioned the general assembly of "Deseret" for the construction of a railroad from Salt Lake to San Diego, in California, *via* Iron county settlements. Petitions for post offices from new settlements were frequent.⁶

ADVENTURES IN MAIL CARRYING

The first contract with the United States postal department for carrying the mail from Missouri river points to Salt Lake City was made in the summer of 1850, by Samuel H. Woodson of Independence, Missouri. The contract called for a monthly mail between Independence and Salt Lake City, and was to run four years. The first mail under this arrangement arrived in Salt Lake City on the 9th of November, 1850. It brought with it a certified copy of the organic act of the territory of Utah. Letters were also

6. *Millennial Star*, vol. xiii, p. 239; and early volumes of the *Deseret News*, *passim*.

received confirming the rumor that Brigham Young had been appointed to take the census of "Deseret;" also the appointment of Willard Richards as postmaster for Salt Lake City.⁷ This may be very properly regarded as the first official installment of the United States postal service in Utah.

In 1851 Woodson subcontracted the carrying of the mail between Fort Laramie and Salt Lake City, to Mr. Feramorz Little, of Utah. The distance was about five hundred miles, much of it through mountainous country with no settlements and but one trading post between the fort and Salt Lake City. The subcontract went into effect on the 1st of August, 1851. Associated with Mr. Little in the subcontract were Ephraim K. Hanks and Charles Decker. In connection with carrying the mail the contractors also carried passengers. The service was attended by great hardship both for men and teams. The first mail from the east under Woodson's contract, for instance, though arriving in Salt Lake City as early as November 9th, was reported to have passed through snow from one to three feet deep for "seventeen days."⁸ In 1852 Charles Decker, bringing in the mail from Laramie had a narrow escape from death at the hands of hostile Indians, on which occasion he met with "Kit" Carson, "to whose intercession he ascribed his deliverance."⁹ On the same journey he met with the following trying experience chronicled by Brigham Young:

"Brother Charles Decker arrived from Laramie with the eastern mail. He had to swim every river between this and Laramie. The mail coach and mules were lost at Ham's Fork, where the mail lay under water from one to seven p. m.; the lead horses were saved by being cut loose. Brother Decker was in the ice water with the mail all the time, and then exhausted, had no resource but to wrap himself in robes and blankets, wet as water could make them, till morning, when he found himself in a free perspiration, fully relieved from a fever he had been laboring under most of the time since he left the city.

7. *History of Brigham Young, Ms.*, entry for Nov., 1850, p. 117. *Deseret News*, Nov. 30th, 1850, p. 164.

8. *Deseret News*, Nov. 30th, 1850.

9. Bancroft's *History of Utah*, p. 501, note.

"Brother Ephraim K. Hanks [about the same time had] proceeded as far as Bear river with the eastern mail. At Weber river the raft on which he and party crossed was sucked under, forcing them to swim for their lives: the mail was carried down the stream and lay in the water upward of two hours. After a great deal of trouble and at the risk of their lives they secured it, but in bad condition. On reaching Bear river, which was a foaming torrent, extending from mountain to mountain, they found it impossible to proceed."¹⁰

These instances of adventure do not exhaust the list of those encountered by these contractors or those in their service, they are set down only as typical of many that occurred. It may be of interest to mention, in passing, that Mr. Samuel H. Woodson, the mail contractor at this time owned part of the tract of land at Independence which was designated as the temple site of Zion, Independence, Missouri—by the Prophet Joseph, in August, 1831.¹¹ Woodson was succeeded in the mail contract by F. Magraw; and he by Mr. Hiram Kimball, who secured the contract in June, 1857, at \$23,600 a year.¹²

When the United States mail service was established providing for a monthly mail between Missouri river points and Utah, the legislature at its next session memorialized congress for a weekly service; and at the same session asked that a semimonthly mail service be installed between San Diego on the Pacific coast and Salt Lake City.¹³ They also memorialized congress for the construction of a territorial road from some of the northern settlements of Utah *via* Fillmore, then the capital of the territory, to the southern boundary, and this as much for the safety and convenience of the California emigration as for the advantage of the inhabitants of Utah.¹⁴ The same legislature also petitioned for a geodetic survey within the territory, in continuation of the scientific work begun by Captain Stansbury, in 1849-50.

10. *History of Brigham Young, Ms.*, entry for June 1st, 1852, p. 55.

11. Burton's *City of the Saints*, p. 4; cf. *History of the Church*, Period I, vol. i. ch. xvi.

12. *Ibid.*, p. 4; also Bancroft's *History of Utah*, pp. 500, 501.

13. *Utah Legislative Enactments*, Session of 1851-2, pp. 226 and 219.

14. *Ibid.*, p. 221.

PETITION FOR A NATIONAL HIGHWAY TO THE WEST

The legislature also memorialized congress "to provide for locating, grading and macadamizing a national turnpike road from the mouth of Nebraska river,¹⁵ *via* South Pass, Great Salt Lake City, to Sacramento, California." This piece of national work was also asked for in the interest of the overland emigration to and from the gold mines in California, as well as to Oregon and Utah.¹⁶

PETITIONS FOR TELEGRAPH LINE AND NATIONAL RAILROAD TO THE WEST

The same legislature memorialized congress for the construction of a telegraph line from the east *via* Salt Lake City to San Diego, San Francisco, or Astoria, urging as the reason for the construction of such a line the otherwise isolation of the intermountain west, and the moral effect in preserving "our glorious Union" by binding "the east and west by an 'electric' stream, * * * annihilate the distance, and make the freemen of Maine, and Oregon, Florida and California immediate neighbors."¹⁷

This legislature also memorialized congress for the construction of a "national central railroad from some eligible point on the Mississippi or Missouri river to San Diego, San Francisco, Sacramento, or Astoria," or other points on the Pacific coast; and called attention to their own ability to be of service in such an undertaking by being so situated as to amply supply the builders of said road with materials and provisions for a considerable portion of the route."

The reasons set forth in this Memorial for the construc-

15. That is La Platte, at the point where it empties into the Missouri, about 15 miles below Council Bluffs. La Platte was sometimes called the "Nebraska," the Indian name for that river, meaning "shallow stream." The Canadian *voyagers* first named it La Platte, meaning the "Flat river," which, Burton says, is a translation, after the fashion of the *voyagers*, of "the musical and picturesque aboriginal term 'Nebraska' " (Burton's *City of the Saints*, p. 40; also see *Stansbury's Report*, p. 40, and map).

16. *Utah Legislative Enactments*, Session of 1851-2, p. 224.

17. *Utah Legislative Enactments*, pp. 226-7.

tion of the proposed transcontinental railroad are so convincing, and grasp the advantages to accrue to the nation in such statesmanlike spirit, that I offer no apology for quoting them at length:

"Your memorialists respectfully state, that the immense emigration to, and from the Pacific, requires the immediate attention, guardian care, and fostering assistance of the greatest and most liberal government on the earth. Your memorialists are of opinion that not less than five thousand American citizens have perished on the different routes within the last three years for the want of proper means of transportation; that an eligible route can be obtained, your memorialists have no doubt, being extensively acquainted with the country. We know that no obstruction exists between this point and San Diego; and that iron, coal, timber, stone, and other materials exist in various places on the route. * * * Your memorialists are of opinion that the mineral resources of California, and these mountains, can never be fully developed to the benefit of the people of the United States, without the construction of such a road; and upon its completion, the entire trade of China and the East Indies will pass through the heart of the Union; thereby giving our citizens the almost entire control of the Asiatic and Pacific trade; pouring into the lap of the American states, the millions that are now diverted through other commercial channels: and last, though not least, the road herein proposed, would be a perpetual chain, or iron band which would effectually hold together our glorious Union with an imperishable identity of mutual interest; thereby consolidating our relations with foreign powers in times of peace, and our defense from foreign invasion by the speedy transmission of troops and supplies, in times of war.

The earnest attention of congress to this important subject is solicited by your memorialists, who, in duty bound, will ever pray. *Approved, March 3, 1852.*"¹⁸

Successive legislatures continued to memorialize congress on the subject of the telegraph line and the railroad until they became accomplished facts.

These Memorials for national highways, transcontinental telegraph lines, and railroads, in each case pleading as a reason for their construction the uniting of the people of a common country, by the development and preservation of "an imperishable identity of mutual interests," to result in, as they believed, the preservation of the national Union,

18. *Ibid.*, pp. 225-6.

must give effective contradiction to those who affirm that the policy of the church leaders among the Latter-day Saints was one of designed isolation of their community from their fellow citizens, and unfriendliness for, and independence of, the general government of the United States.

THE INDIAN WAR OF 1853

The period being covered by this chapter had its Indian troubles, culminating in what is known as the "Indian War of 1853." The immediate cause for the commencement of hostilities was the unfortunate interference of a white man in an Indian family row, near Springville. An Indian was beating his squaw, according to Indian custom when displeased with them, when a Mr. Ivey, angered at the brutal incident struck the Indian who died from the effects of the blow,¹⁹ but not until he reached the Indian encampment of Chief Walker and his brother, Arapeen, on Peteetneet Creek at the mouth of a canon above the settlement of Payson, in Utah county. An immediate attack was planned against Springville, but the inhabitants being warned and on their guard, it was not made. The next day, however, Arapeen and a number of Indian braves having visited Payson, in an apparently friendly spirit, and after having partaken of a meal hospitably provided for them, as they were leaving the town, shot and instantly killed the guard on duty, Alexander Keele. They then rode on and reported to Walker what had occurred; whereupon the Indians broke camp and fled up Peteetneet canon firing upon a number of settlers living along the line of their retreat, and the war was on. The casualties of this war are here summarized from the *Deseret News* published at the time:

"On the 19th of July the Indians attempted to surprise the settlement on Pleasant Creek,²⁰ in the north part of San Pete county,

19. Geo. A. Smith's *Answers to Questions*, 1869, p. 28.

20. The settlement is now called Mt. Pleasant.

and stole horses and cattle at Manti and Nephi. On the 20th the guard at Nephi was fired upon. On the 24th Clark Roberts and John Berry were wounded at Pleasant Creek, while on their way to Provo, in charge of an express. On the 23rd Colonel Conover who had been sent from Provo on the 19th with a command of a hundred and fifty men in pursuit of the Indians, sent forth a scouting party which encountered a band of 20 or 30 Indians near Pleasant Creek, and killed six of them. On the night of August 10th a party under Lieutenant Burns, encamped on Clover Creek, was attacked, and one of them wounded, several animals being lost. On the 17th four men, who were hauling lumber near Parley's Park, east of Salt Lake City, were fired upon and two of them killed."²¹

Again:

"On September 30th, four men on their way to Manti with ox teams loaded with wheat were killed and mutilated at Uintah Springs. Oct. 2nd, eight Indians were killed and others captured in a skirmish at Nephi. Oct. 4th, two 'Mormons' named John E. Warner and William Mills were killed at the gristmill near Manti."²²

By this time the Indians seemed to have tired of the war, and on the 28th of November, Ammon, brother of Walker, came into Parowan, in southern Utah, to sue for peace in behalf of Walker and his band, and had an interview with Erastus Snow and F. D. Richards on that subject.²³ The formal peace meeting, however, did not take place until May of the following year, when Governor Young, with a number of leading brethren visited the southern settlements; and the Indians who had engaged in the troubles of the past summer coming from their mountain retreats, met with him on Chicken Creek, in Juab county, one hundred and nine miles south of Salt Lake City, and a peace settlement was effected. Among the chiefs met with were Walker, Grospene and Wash-ear (generally known as Squash-head). "All the natives met with," says the chronicle, "even to the distant Piedes, rejoiced exceedingly at the visit and were highly pleased with the

21. *Deseret News* of July 30th, and October 1st, 1853.

22. *Ibid*, October 15th, 1853.

23. *History of Brigham Young, Ms.*, entry for May, 1854, p. 46.



FORT UTAH

On Provo river, 1850.

Typical Utah settlement of the period.

words and counsel of the 'Big Captain of the Whites' who are settled in Utah."²⁴

Orson F. Whitney, in his *History of Utah*, relates the following incident of the peace council, which illustrates the temper of both whites and Indians at that time; the one, conciliating, forbearing; the other sullen, proud, offended at trifles—the child nature of the savage:

"An incident occurred at this very meeting [the peace meeting on Chicken Creek], which though apparently of little moment, had its ill effect not been at once retrieved, might have led to more trouble. The two parties sat facing each other from opposite sides of a teepee in which the council was held, and the presents brought by the governor were being distributed. Among the gifts was quite a quantity of tobacco. This, General Wells was asked to dispense to the assembled braves. He did so taking the sack which contained it and tossing to each of the warriors a plug of the compressed weed so delightful to the senses of most savages, and, it may be added, of most civilized men as well. The general's action, though not meant to offend, was very displeasing to the dignified Ute chieftain. His eyes blazed with anger, and he refused to lift his piece of tobacco from where it lay. Some one directed his attention to it, whereupon he remarked that he was not a dog to have a present thrown at him, like a bone to a cur. General Wells good-naturedly made amends for his oversight, and taking a new plug of tobacco presented it to Walker with a polite bow. The chief's anger was at once dispelled, and the proceedings continued amicably to the close. Walker remarked on this occasion that Governor Young was a big chief, but that he was a big chief, too, and illustrated the principle of their equality by holding up both his thumbs, one as high as the other."²⁵

Another incident connected with the pacification of Walker, and one which illustrates the great patience of Brigham Young, and shows the "Mormon" leader at his best, is related in the *Journal of Bishop Anson Call, Ms.* The bishop was one of the governor's party on the southern journey to the Indians:

"We learned after we arrived at Nephi that Walker and his band were camped within a distance of 15 miles. President Young im-

24. *Deseret News*, of June 8th, 1854; see also *News* of May 25th, same year. The last chronicle also records that "Much grain had been sown for the Indians, who generally appear very friendly." (*Ibid.*)

25. Whitney's *History of Utah*, vol. i, p. 528.

mediately took his company and visited Walker's camp. After arriving many of the Indians visited us and were apparently glad to see us. The president inquired for Walker. He was told he was in his 'wick-e-up.' The president sent for him, he refused to come and said the president must come and see him. The president accordingly went into his wick-e-up, found the chief very surly. This was the first time the president had seen him since the Indian war, yet I had visited him some four weeks before in company with E. T. Benson, Erastus Snow, Mr. Bedell, the Indian agent, Demick B. Huntington, the interpreter, and some others in the company at Fillmore, the place appointed to make a treaty of peace, which treaty we accomplished, smoked the pipe of peace and went through all the Indian ceremonies in making treaties—as Walker stated, to his entire satisfaction—with about 50 of his men; we ate and drank together and parted. When President Young entered Walker's tent the chief requested him to leave and return in about an hour and perhaps he would have the spirit. If he did he would talk with him. The president accordingly left and returned at the time appointed. The president asked the chief what ailed him. He said that one of his children was very sick. He then began to beat the mother of the child. The president stopped him and reprimanded him severely and asked why he abused his squaw in that way. He answered him that he did not want the child to suffer alone. Walker told him that he was not ready to talk with him nor he should not be till he knew whether the child would die or live, and he must not leave with his company until he knew, and if the child died somebody had to die with it and he did not know whether it would be some of his men or some of the 'Mormons;' also some horses. He said the child was to have company and some horses to ride. The president then took the child and administered to it and left the wick-e-up and told him (Walker) that he would return to the wick-e-up and the child would be better. The president accordingly returned and found the child better. Walker became satisfied that the child was going to live. He was friendly and had a talk with the president who made him and his men presents of shirts, blankets and ammunition. Walker and his men traded horses to our company. Next morning about 11 o'clock we left Walker's camp, stayed the next night on the Sevier river. The day following we arrived at Fillmore."²⁶

THE LARGER REASONS FOR THE UTAH INDIAN WAR OF 1853
—INDIAN SLAVERY

One remarkable thing about this Indian disturbance of 1853 is the extent of territory over which it extended—from Iron county in the south to Summit county, east of Salt Lake City, in the north, a distance north and south of over two

26. *Journal of Anson Cail, Ms., for May, 1854.*

hundred and fifty miles, and along the whole line of white settlements. It seems to be altogether too general to arise from a circumstance so local as that in which it apparently had its origin. The fact is that the incident at Springville of the white man interfering with an Indian beating a squaw, and unfortunately producing his death, was not the real cause of the war, but merely a pretext for beginning hostilities which were inevitable under the operation of influences then at work, and the temper of the red men. It had been the custom among the Utah Indians for the stronger tribes to kidnap the children of weaker bands, sell them to Mexicans to be carried into New Mexico, and even to Mexico itself, where they were sold into slavery. An editorial in the *Deseret News* of November the 15th, 1851, takes notice of three several parties of traders in San Pete county engaged in this dastardly business. The parties were operating under licenses signed by James S. Calhoun, governor and superintendent of Indian affairs in New Mexico, authorizing the holders²⁷ to "proceed to the Salt Lake country in the territory of Utah, for the purpose of trading with the Utah Indians in said region." There were about twenty members in each of the three parties, one of which was headed by one Pedro Leon. They were attempting to exchange horses for Indian children and fire arms. The *News* editorial above quoted gave warning against this unlawful traffic, saying that "the purchase and removal of Indian children from Utah territory to any other state or territory, or the removal of Indian children without purchase to any other territory by such means or process as appears to have been contemplated by said men [Leon, *et al*], is kidnapping in the eyes of the United States law and ought to be treated so in any United States court."

Governor Young's message to the territorial legislature

27. In one license filled out and signed by the governor and superintendent of Indian affairs for New Mexico, the place for the name of the holder was left blank; so that it could be used by any person to whom it might be given, by "any honest man or scoundrel," as the *News* editorial phrased it, "who may please to put his name to it."

dated January 5th, 1852, also dealt with this subject. He calls attention to the fact that the practice of purchasing Indian children for slaves, carried on by traders in New Mexico and California, had of late years been extended into the limits of Utah. "This trade," he remarks, "I have endeavored to prevent; and this fall, happening to encounter a few of them [i. e. the slave traders] in my travels [*viz.*, the Leon parties], as superintendent of Indian affairs, strictly prohibited their further traffic. The majority of them appeared satisfied [i. e. with the governor's directions and instructions]; and, after making a few exchanges of property in the settlements, returned to their own country. Unfortunately, however, a few of them determined to carry on their nefarious traffic; they have been arrested and are now on trial in this [Salt Lake] city."

BRIGHAM YOUNG ON SLAVERY

"It is unnecessary perhaps for me," continues the governor, "to indicate the true policy for Utah in regard to slavery. Restrictions of law and government make all servants; but human flesh to be dealt in as property, is not consistent or compatible with the true principles of government. *My own feelings are that no property can or should be recognized as existing in slaves, either Indian or African.*"²⁸

In his message to the legislature which convened in

28. The message *in extenso* is published in the *Deseret News* of Jan. 10th, 1852. The rest of the passage on this subject is somewhat involved, but the governor alludes to the custom of the Indians in "gambling away, selling, and otherwise depositing of their children;" as also "sacrificing prisoners"—that is, at the death of members of the prisoner-holding tribe—and recommends the deliverance of such children and prisoners from these conditions, and of rearing them among the settlers. "If in return for favors and expense which may have been incurred on their account, service should be considered due, it would become necessary that some law should provide the suitable regulation under which all such indebtedness should be defrayed." (*Ibid.*) This doubtless led to the enactment of the law that session under the title, "*An Act for the Relief of Indian Slaves and Prisoners.*" It required that any white person in the territory having in his possession any Indian prisoner, child or woman, should go before designated county authorities to have it ascertained if such person was suitable to rear and educate such Indian child, and if so said authorities were to bind out by indenture said child for a term not to exceed twenty years. Selectmen in their respective counties were authorized to obtain such Indian prisoners, children or women, and bind them to some useful vocation. The person to

December, 1853, following the outbreak of that year, Governor Young again alludes to this slave traffic in Indian children, and assigns the pernicious influence of the slave traders upon the minds of the Indians as the cause of the Indian troubles. Repeating his account of stopping the Leon parties in their traffic in Indian children the governor charges that the slave traders had poisoned the minds of the Indians against the white settlers of Utah, by representing that they had not accorded the Indians a sufficient compensation for their lands; that the settlers' stock should be as free to them as the game upon the mountains; that the settlers would not allow them to trade off their children as was their custom previous to the whites settling among them. In proof that these representations had an effect upon the minds of the Indians the message proceeds to point out the fact that in making their annual visit to the Indian agent that year, some of the Indians "manifested a turbulent spirit; and although aiming to conceal it, plainly showed that they had been tampered with, and that their feelings were very different than upon former visits."

Subsequent events proved these to be the facts in the case, the governor held, "for the Indians had no sooner left the stronger settlements than they began hostilities."²⁹

Editorial comment of the *Deseret News* on the occasion of the breaking out of hostilities in July also calls attention to the unfriendly spirit of Chief Walker for a year past, saying:

"It is well known to the residents of this territory that the Indian Chief Walker has been surly in his feelings and expressions at divers times and places within our borders for more than one year passed,

whom the Indian child or prisoner was apprenticed was required by the law to send his apprentice to school for the term of three months each year, when between the age of seven and sixteen years. It was also provided that the master should clothe his apprentice in a comfortable and becoming manner, according to the said master's condition in life. (*Laws of Utah*, 1852, p. 94).

29. The message is found at length in *Deseret News* of Dec. 15, 1853. Of course it would be more accurate to say that the Indians availed themselves of the first pretext for hostilities that presented itself, which was the Springville incident as stated in the text.

and that he has repeatedly endeavored to raise an excitement and open war out of small pretexts that in former times he would have smiled at."

The suppression then of the slave trade among the Indian tribes of Utah, and the evil counsels and influence of the slave traders among them, as a consequence of that suppression, may be set down as the cause of the Indian disturbances above recounted, and not the unfortunate Springville incident.

THE KILLING OF CAPTAIN JOHN W. GUNNISON

The saddest incident connected with the Indian troubles of 1853, was the massacre of Captain John W. Gunnison and a number of his men on the Sevier river in Millard county, some distance northeast of Sevier Lake. This massacre, however, was in no way connected with the general hostile movement of the savages in Utah that year, nor in any way related to the cause producing that war. It stands an incident wholly by itself, the result of a California emigrant company's folly, and the Indian traditional law of vengeance. Captain Gunnison, it will be remembered, served with Captain Stansbury's company of topographical engineers in the survey of Salt Lake and Utah Lake, in 1849-50. He was also the author of *The Mormons*, a very just and creditable work from the viewpoint of one knowing the story of the Latter-day Saints, as also their personal and community virtues, but not convinced of the truth either of the origins of their faith or of the correctness of the philosophy or the religion of the New Dispensation.

Gunnison was now in command of a government party of topographical engineers, making a survey of one of the proposed routes for a transcontinental railroad to the Pacific, this particular route being known as the "Central Pacific Railroad Route." During the summer the surveys had been completed through the Grand and Green river valleys, and in the latter part of October the party with its small military escort arrived in the Pauvan valley, and made camp about

six miles from Fillmore. Gunnison went into Fillmore to purchase supplies for his command, where he met Bishop Anson Call, with whom he had formed pleasant relations on his former sojourn in Salt Lake City, where now it was Gunnison's intention to go into winter quarters, as soon as he could make the journey.

While visiting with Bishop Call that gentleman told the captain, by way of warning, the emigrant Indian episode referred to above, which in brief is as follows: a few weeks before Gunnison's arrival a company of emigrants passed through Fillmore bound for California, under the leadership of a Mr. Hildreth.³⁰ Hearing of the Indian outrages perpetrated in the territory, and their own camp having been fired upon the night before, some of the emigrants swore they would kill the first Indian who came to their camp. Bishop Call remonstrated with them for making such declarations, and informed them that some of the Indians were friendly disposed towards the whites. He referred to a small band of Indians then encamped at Meadow Creek, a few miles south of Fillmore, as being of this class; it was their custom to visit emigrant camps to trade and beg, but the emigrants need have no fear of them, and Bishop Call asked that these Indians be not molested. The day following this conversation the emigrant company camped on Meadow Creek in the vicinity of the Indians, and no sooner was camp formed than Moshoquop, the Pauvan war chief, with his father, and Mareer, and several others of the band rode into the emigrant camp and wanted to trade buckskins for tobacco, etc. Whether it was fear of the Indians that prompted their action or a determination to carry out their silly threat made at Fillmore, may not now be determined, but the emigrants surrounded the Indians and undertook to disarm them. Naturally the Indians resented this effort and one of them in the melee thrust an arrow shaft into the breast of an emigrant, where-

30. Anson Call gives the name Hilliard, in his *Journal*, Oct., 1853, p. 46.

upon the emigrants opened fire with their revolvers and several of the reds were wounded, one of whom, the father of Moshoguop, the war chief, died the next day.

The band of Indians a few days later, making threats of revenge, moved northwesterly—it was afterwards learned—to a distance of about twelve miles north of Sevier Lake, and several miles west of the Sevier river.

BISHOP ANSON CALL'S JOURNAL ACCOUNT OF THE MURDER

On hearing this recital Captain Gunnison "expressed deep regret," and remarked, "the Indians are sure to take their revenge;"³¹ a remark which arose from the captain's knowledge of the Indian character and their law of vengeance. Gunnison at Fillmore, finding himself so near the Sevier Lake, resolved to explore that region, and divided his command for the double purpose of exploring the lake and at the same time examining the canon of the Sevier river. Gunnison took charge of the lake exploring party, consisting of himself, Mr. R. H. Kearns, topographer of the party; Mr. J. Creutzfeldt, botanist; William Potter, (whom Beckwith describes as "an experienced, cautious, and resolute citizen of

31. The narrative so far is condensed from the *Journal of Bishop Anson Call*, the portion of his *Journal* covering the period of Gunnison's visit and the subsequent burial of his remains at Fillmore being attested by affidavit by Call. (See Bancroft's *History of Utah*, p. 471, note). The Gunnison narrative in *Call's Journal* is now in the hands of the writer of this *History*, and is found at pp. 45-49. The Indians, after the incident at Hildreth's emigrant camp, met in council with Bishop Call and other brethren, and reported the emigrant attack upon them and their intention to avenge the death of Moshoguop's father, from which purpose Call tried in vain to dissuade them, for a party of the Indians followed that company of emigrants and annoyed them for some time, but apparently without doing more mischief than killing some of the sheep the company were driving with them. (*Call's Journal*, p. 46). The account given in the text respecting this California company is sustained by S. N. Carvalho in his *Incidents of Travel and Adventure in the Far West*. He states that Captain Hildreth was absent from the camp when the attack upon the Pauvan Indians was made; that had he been in camp the fatal event would not have occurred, and he lamented the occurrence. (See Whitney's *History of Utah*, vol. i, pp. 523-4. See also letter of Carvalho in *New York Tribune*, impression of June 2nd, 1855). In addition to relating the incident of the emigrants' attack upon the Indians, Carvalho in the above letter details a conversation he had when in Salt Lake with Captain Morris and Lieutenant Beckwith, both of whom exonerated the "Mormons" from any complicity with the "Gunnison Massacre." "I think I am correct in saying," he writes, "that they did not entertain a suspicion of such a thing."

Manti," Utah), as guide; John Bellows, an employee; a corporal and six army privates—twelve in all. The main body of the command was left with Captain Morris and Lieutenant Beckwith of the engineers to follow up the Sevier and examine the canon through which it passed into the Pauvan valley.

DETAILS OF THE MASSACRE

It was expected that Gunnison's task would occupy two days. On the evening of the first day of the separation the Gunnison party encamped under a willow-covered embankment on the Sevier, as a protection from the keen wind of the region in that season of the year. "The usual vigilance of night guards was maintained," says Lieutenant Beckwith—who succeeded Gunnison in charge of the surveying expedition—"each of the party in turn performing that duty." At the break of day the whole camp was aroused, and while engaged at breakfast preliminary to a projected early start, a number of rifle shots and a flight of arrows startled the camp. Beckwith's account states that but one man was killed in this opening assault; and as Captain Gunnison rushed from his tent he raised his hands and called to his assailants that he was their friend. "But this call was of no avail, the deadly fire was continued."³² The result was that the captain and seven of the party were killed outright; all except the corporal and three privates who had made their way to the horses in the melee, mounted and escaped. The corporal was the first to reach the main camp and deliver the awful intelligence of the massacre. A company under Captain Morris immediately proceeded to the scene of the tragedy where they arrived late in the afternoon and found the bodies of their comrades dismembered and horribly mutilated, even

32. I am following Beckwith's account which will be found in the *Deseret News* of November 12, 1853. It was written at the request of the *News*, the editor having placed his columns at the disposal of the lieutenant for a full account of the sad event, which courtesy is acknowledged in the lieutenant's communication.

beyond savage custom. All night they stood near the scene of the massacre holding their horses by the bridles hoping that if any of Gunnison's party had escaped and were still in the vicinity, they would make their way to their fires. They left the next morning without interring the remains, a Christian and kindly office afterwards performed by Bishop Anson Call, about ten days later; all were buried on the site of the tragedy except Captain Gunnison and Mr. Potter, the guide, whose remains, so far as they could be identified, were carried. the former to Fillmore, the latter to his home at Manti.³³

Commenting on this sad event the *News* editorially, in the same impression containing Lieutenant Beckwith's account of the tragedy, says:

"We feel to commiserate deeply with the friends of those who have been so suddenly and unexpectedly cut off, but more especially with the wife and children of Captain Gunnison, who was endeared to us by a former and fondly cherished acquaintanceship, in 1849-50, while he was engaged with Captain Howard Stansbury in the survey of the Great Salt and Utah Lakes. And we take this occasion to bear tribute to the memory of Captain Gunnison, as a gentleman of high and fine-toned feeling, as particularly urbane in his deportment to all, and as an officer having few equals in the service, in the strict, accurate, energetic, speedy, intelligent, persevering performance of duty under any and all circumstances."

And in an editorial *postscript*, following its account of the belated burial of the bodies, this is added:

"It may be well to remark in addition, that the massacre on the Sevier was entirely unconnected with the late Indian difficulties, but was the direct result of the foolish, and reckless conduct of a party of emigrants from the states, on their way to California by the south route, who killed a Pauvan Indian on Corn Creek, and wounded two others, not long since; hence followed the Indian rule of revenge on the next American party found on their grounds. A more perfect history of the whole affair will be given hereafter."³⁴

Naturally the Indians were reticent upon the subject of this massacre, and it was not until after many years had

33. *Deseret News*, Nov. 12, 1853.

34. *Deseret News*, Nov. 12, 1854.

elapsed that anything like a complete account of the part taken by individual Indians in the affair could be ascertained.³⁵

In later years it became known that Moshoquop, planned and led the attack, to avenge the death of his father, and he was followed by about twenty Indians who had left Meadow Creek threatening vengeance after the unfortunate incident with the emigrants bound for California.

In March, 1855, the Indians who were supposed to have murdered Captain Gunnison were brought to trial before Judge Kinney's court, in the second judicial district at Nephi. "The jury brought in a verdict of manslaughter against three of the Indians, who were sentenced to three years' imprisonment in the penitentiary."³⁶

A large band of Indians interested in the progress of the trial were encamped in the vicinity of Nephi, and to give the court security against any uprising of the savages, Colonel Steptoe, whose command of about two hundred men *en route* for California had wintered in Salt Lake City, detailed a company of United States soldiers for that purpose.³⁷

ANTI-"MORMON" MISREPRESENTATION OF THE MASSACRE

I have given this incident at greater length perhaps than

35. This is even conceded by the author (Gibbs) of the anti-"Mormon" book, *Lights and Shadows of Mormonism*, p. 177.

36. *History of Brigham Young, Ms.*, entry for March, 1855, p. 24. Notwithstanding these plain facts of history, an anti-"Mormon" writer, whose book, *Lights and shadows of Mormonism*, was published in 1909, in his chapter devoted to the "Gunnison Massacre," says that "the only participant who was even arrested was Indian Sam. During a brief season he was imprisoned in the territorial penitentiary, where he ate his ration with unusual regularity. And when questioned as to the identity of the reds who killed Gunnison and his party, Sam was equally regular in his *me no savy*." * * * Sam was released in the spring of 1854." (pp. 176-7). Mr. Gibbs, the author, makes no mention of the arrest, trial and conviction before a United States judge, and of the sentence passed upon the three Indians as detailed in the text. And even Linn, in his *Story of the Mormons*, will go no further in the exculpation of the "Mormons" from complicity in the Gunnison tragedy, than to say, "The charge * * * has not been supported by direct evidence," (p. 473, note). To which I add—no, nor by indirect evidence either, it was a base slander from the first.

37. To the shame of the times and of human nature, yet as part of the record of events and of the contact of the two races, the following is written: "I understand, from the Indians," says President Young's chronicle of this trial, "that some of the officers, civil and military, did some trading with the squaws. * * * Report says it was an effort at improving their morals, or introducing civilization!" (*History of Brigham Young, Ms.*, entry March, 1855, p. 24).

its importance really warrants. My reason for going so far into detail is, that the plain history of the event might be a refutation of the charge that the "Mormons" were guilty of the crime. This charge was first made by Judge Drummond in a letter accompanying his resignation as United States judge in the territory of Utah,³⁸ and has been reiterated by many anti-"Mormon" writers. "In this instance," says Bancroft, "not only is there no valid proof against them, but there are many circumstances pointing in the opposite direction, one of them being that among the slain was a Mormon guide [Potter]. The Gunnison massacre was brought on by Gentiles. It was the direct result of killing of the Pah Ute by California emigrants. As no compensation had been made to the tribe, they avenged themselves, as was their custom on the first Americans—for thus they termed all white men other than Mormons—whom they found in their territory."³⁹

A better witness than Bancroft, however, is Lieutenant Beckwith, who succeeded to the command of Gunnison's surveying party, and completed the work assigned to that officer. In his report to the government, he writes:

"The statement which has from time to time appeared or been copied in various newspapers of the country, since the occurrence of these sad events, charging the 'Mormons' or 'Mormon' authorities with instigating the Indians to, if not actually aiding them in, the murder of Captain Gunnison and his associates, is, I believe, *not only entirely false, but there is no accidental circumstance connected with it affording the slightest foundation for such a charge.*"⁴⁰

THE CHIEF EVENTS IN INDIAN WAR OF 1853

Returning now to the main events of this "1853 Indian

38. See *House Executive Document*, 35th Congress, 1st Session, x, No. 71, p. 212.

39. *History of Utah*, p. 470. "Bancroft also quotes D. H. Wells as saying that Captain Gunnison's brother at first believed the report that the 'Mormons' were implicated, and met [Bishop Anson] Call by appointment at Salt Lake City. The latter produced his diary, from which he read extracts, and after a full investigation declared himself satisfied that the 'Mormons' had nothing to do with the massacre." (*Well's Narrative*, Ms., 15-19, *History of Utah*, p. 471).

40. *Beckwith's Reports*, II.

War," it remains for me to say that the policy of Brigham Young in that and all other subsequent events involving dealings with the Indians is of very great interest. Upon the outbreak of hostilities there was prompt action on the part of the Utah county militia for the protection of the settlements. The day following the flight of the Indians from the vicinity of Payson to the mountains, a hundred and fifty men were equipped, and mounted at Provo, who started under command of Colonel Peter W. Conover for the southern settlements to warn them and assist in their defense, and likewise to make aggressive war upon the Indians. Other forces were mustered into service under the direction of George A. Smith,⁴¹ and sent to the aid of the settlers. On the 21st of July, Governor Young issued a general order through Lieutenant General Wells, of the Nauvoo Legion, directing that the policy heretofore urged, of constructing forts in the settlements and occupying them, be adopted and rigidly enforced; that commandants of the various military districts cause all the forces in their respective commands to repair immediately to their posts in their various settlements, and put the same in a state of efficient defense. Those in small, outlying settlements, in exposed districts, were to be brought into the large settlements and given protection, and provision made for corraling and guarding the stock; Colonel Conover, and Majors Markham, and Boyce, who had begun a rather vigorous aggressive warfare upon the Indians, were ordered to bring their present expedition against the Indians to a close, and retire to their respective districts. "We wish it to be distinctly understood," says the order, "that no retaliation be made, and no offense offered, but for all to act entirely on the defensive until further orders; but be particular in ascertaining the person, tribe or name of every Indian offending, and forward the same to this office that it may be known who they are."⁴² The policy was to put the respective settle-

41. *History of Brigham Young, Ms.*, entry for July, 1853, p. 91.

42. The order is published at length in *Deseret News* of July 30th, 1853.

ments in such a state of efficient defense, and have the stock so amply protected that the Indians would find attacks upon the settlements futile. "General Orders, No. 2" assigned the command of all military districts of the territory south of Salt Lake City to George A. Smith, with instructions to strictly enforce the measures of "Order No. 1," and to see that all surplus stock was driven to Salt Lake City. His authority was so absolute that it amounted to placing the portion of the territory designated under martial law. In carrying out his instructions Colonel Smith was ably seconded by Lieutenant Colonel Wm. H. Kimball, who, on the 22nd of July, had been ordered south by the governor to aid the settlers in the exposed districts.

Under the vigorous administration of Colonel Smith and Lieutenant Colonel Kimball, the settlements of the south were soon placed in a condition of reasonable security. In some cases I think their performances were unique. The houses then existing in southern Utah were chiefly of logs, and where isolated they were taken down and brought into the settlements protected by forts. In several instances the houses of whole settlements were taken down and hauled to the large settlements. This was the case with what was called the "Shirts' Settlement," and the "Johnson Settlement," both near Cedar Fort. The settlement of Harmony, south of Cedar, consisting of eight houses, was loaded up bodily and carried to Cedar Fort by a detail of twenty-six teams. By adopting this vigorous defensive policy both life and property were conserved, the settlers' crops secured, and the Indians as effectively defeated as if an aggressive, spectacular war had been urged upon them.

THE INDIAN POLICY OF GOVERNOR YOUNG IN ACTION

Governor Young took every occasion to let the Indians know that he intended to be their friend. Chief Walker he pitied. That leader of the red men was hemmed in on all

sides. His aggressiveness in leadership had aroused enemies on every hand; his past raids into California had made it impossible for him to go there; and on the north, among the Shoshones, he had many enemies, and was now making war upon his best friends.⁴³ "How many times have I been asked in the past week," said President Young, in a public meeting, [July 31, 1853], "what I intended to do with Walker. I say let him alone severely. I have not made war on the Indians, nor am I calculating to do it. My policy is to give them presents, and be kind to them. Instead of being Walker's enemy, I have sent him a great pile of tobacco to smoke when he is lonely in the mountains. He is now at war with the only friends he has upon this earth, and I want him to have some tobacco to smoke."⁴⁴

Brigham Young's policy towards the Indians has been much discussed, and from time to time made a subject of controversy. I here give his own statement of it, as found in his message to the legislature of December 11th, 1854:

43. "Walker is hemmed in; he dare not go into California again. Dare he go east to the Snakes? No. Dare he go north? No, for they would rejoice to kill him. Here he is penned up in a small compass, surrounded by his enemies; and now the elders of Israel long to eat up (as it were) him and his little band. What are they? They are a set of cursed fools, do you not rather pity them? They dare not move over a certain boundary on any of the four points of the compass for fear of being killed; then they are killing one another, and making war upon this people that could use them up and not be a breakfast spell for them if they felt so disposed. See their condition, and I ask you—'do you not pity them?' From all appearance there will not be an Indian left, in a short time, to steal a horse. Are they not fools under these circumstances to make war with their best friends?" (From a speech by Governor Young, in the tabernacle at Salt Lake City, July 31st, 1853, *Deseret News*, Oct. 15, 1853).

44. *Deseret News*, Oct. 15th, 1853. The tobacco was sent with Colonel Geo. A. Smith's command, with the following message:

"Great Salt Lake City, July 25, 1853.

Captain Walker:—I send you some tobacco for you to smoke in the mountains when you get lonesome. You are a fool for fighting your best friends, for we are the best friends, and the only friends that you have in the world. Everybody else would kill you if they could get a chance. If you get hungry send some friendly Indians down to the settlements and we will give you some beef-cattle and flour. If you are afraid of the tobacco which I send you, you can let some of your prisoners try it first, and then you will know that it is good. When you get good-natured again, I would like to see you. Don't you think you should be ashamed? You know that I have always been your best friend.

BRIGHAM YOUNG."

STATUS OF UTAH INDIANS

"Peace with the Indians has been preserved during the year, although detached parties of the Utahs have been found unfriendly, which in one instance resulted in their killing two of our citizens. The perpetrators of this crime were brought in by other Indians and delivered up to the United States authorities, before whom they had a fair trial, were found guilty of murder, and executed according to law, the Indians themselves giving testimony against them.⁴⁵

It has required the greatest forbearance and patience, as well as large amounts of presents on the part of our citizens, to maintain amicable relations with them. In some few instances they have presumed upon the forbearance shown them, and conducted themselves very improperly and abusively to the people. The pacific policy which has, from the beginning, been exercised toward them, has no doubt avoided many collisions which might have resulted in open war.

Although large quantities of beef, flour, clothing, guns, ammunition, etc., have been given them to conciliate and make them friendly, yet the savage propensities of their natures, their improvident and vile gambling habits of life are such that no present supply, no matter how generous, remains long with them; and their indolence precludes any idea of their replenishing from their own resources. * * * Much has been done by the inhabitants, since their residence among the Indians of the mountains, to ameliorate their condition. They were found to exist in the lowest state of degradation—poor, ignorant, indolent, and savage. In their anger, nothing restrained them, but fear, from the greatest excess of crime. They would sell and gamble away their own children, and steal from and rob other Indians of theirs, either to sell, gamble away, or kill, as their humor seemed to suit them. A horse or gun was deemed an equivalent for killing a man: and every shade of difficulty became a matter of barter for pecuniary consideration. The settlers have invariably given them provisions and clothing, furnished them with guns and ammunition to kill game, and in various ways administered to their relief. In many places grain has been raised for them, and houses built for their chiefs and principal men.

This policy has had a tendency to correct their vile habits and propensities, and sometimes induces them to labor for their own support. * * *

I have uniformly pursued a friendly course of policy towards

45. This was a peculiarly atrocious murder committed by Indians in Utah county, 35 miles southwest of Salt Lake City. William and Warren Weeks, sons of Bishop Allen Weeks, being the victims. It was evident that the deed was committed by a few reckless savages without the consent or knowledge of the tribe, as nearly all the Indians were then friendly. Brigham Young wrote the father of the murdered young men and sympathized with him in his loss, and "counselling the brethren to be friendly with the Indians, to seek out the guilty ones, and deliver them up to justice, but not to have feelings against those who were not guilty." (See *History of Brigham Young, Ms.*, August, 1854, pp. 73-74). The result of this course is stated in the text above.

*them, feeling convinced that independent of the question of exercising humanity towards so degraded and ignorant a race of people, it was manifestly more economical and less expensive, to feed and clothe, than to fight them. * * ** In many of the southern settlements, already, the Indians have become useful in labor and business, and quite a number of Indian children are found living in families, who have taken them to bring up and educate. So far as my knowledge extends in relation to the subject, such children have had the benefit of common schools; *this blessing is secured to them by the operation of law.*"⁴⁶

THE INCIDENT OF SARPY'S POINT—GRATTAN'S BLUNDER

In marked contrast to this humane and enlightened policy of Governor Young's towards the Indians, may be placed the harsher policy of others, which finds something of illustration in the following incident of the same period, recorded in Governor Young's manuscript *History*:

"*Aug. 19th, 1854. At Sarpy's point, eight miles east of Laramie, while a company of saints was passing a camp of Indians, about one thousand strong, a lame cow belonging to the company, became frightened and ran into the Indian camp where she was left. Some of them killed and ate her, which circumstance was reported at Fort Laramie. Lieutenant Grattan, with twenty-seven soldiers and an interpreter, repaired to Sarpy's point to arrest the Indian who killed the cow, but he refused to give himself up. The lieutenant then ordered his men to fire upon the Indians which they did. The Indians then charged and routed the soldiers, who were all killed but one, who was dangerously wounded. The Indians, highly excited, demanded of James Bordeaux, living there, what stores he had, which, to save life, he surrendered to the amount of two thousand dollars. They then went to the post of the American Fur Company and pillaged it for nearly fifty thousand dollars worth of goods. And all this for the killing of an old cow!*"

The above statement of President Young is confirmed by Bancroft in his *History of Wyoming*:

"A Mormon emigrant complained at the fort that one of the band of Wahsahshe Sioux, who sustained but a bad character, had killed, and caused to be eaten, one of his cows. Fleming sent Lieutenant Grattan, a young Vermonter, late from West Point, to take the offender in charge, an errand of so delicate a nature that only a mature and discreet officer should have been entrusted with it. There had been no attempt on the part of the Indians to conceal the act, which Bear,

46. The message is published at length in *Deseret News* of Dec. 14, 1884.

the head chief, had himself reported at the post, but apologized for the rascal, saying he had shot the cow in a fit of anger at his lack of success in hunting, and after it was killed it might as well be eaten.

It would not do, however, to establish such a precedent, and Grattan was ordered to take twenty-eight men and two howitzers, the Indians being numerous and well armed, and bring this Indian to the fort. He proceeded to the camp of Bear, nine miles away, and finding strenuous objections offered to the arrest, and that the Indians were attempting with sullen and angry demeanor to surround him, ordered a volley to be fired. The chief fell, mortally wounded, and one of his braves was killed. Immediately the Indians returned the fire Grattan ordered the cannon discharged, but being too elevated they inflicted no injury on the enemy. In another moment the command was closely hemmed in by enraged savages, and soon all lay dead and mutilated, except one man, who escaped in a dying condition to the fort, unable to give an intelligent account of the battle.

Thus perished the greater part of the garrison of Fort Laramie in the summer of 1854, which was the commencement of a long and costly war with the Sioux."⁴⁷

GOVERNOR YOUNG'S INDIAN POLICY APPROVED

The policy of Governor Young received hearty endorsement in many quarters. Dr. Bernhisel, Utah's delegate to congress, in a public address, in Salt Lake City, June 17, 1854, reported that United States Senator Chase of Ohio said of Brigham Young—"that no governor had ever done so well by the Indians since William Penn, as Governor Young."⁴⁸

47. Bancroft's *History of Wyoming*, pp. 708-9.

48. *History of Brigham Young, Ms.*, entry for June 17, 1855.

CHAPTER XCVI

MISCELLANEOUS EVENTS, 1851-7 (CONT'D): "WALLED CITIES"—
OFFICIAL ANNOUNCEMENT OF THE PLURAL MARRIAGE
DOCTRINE—MISSIONARY PERIODICALS

ONE of the effects of the Indian war of 1853 was to make of Utah a land of "walled cities," or of forts. The settlements of those days were either entirely walled in, or some portion of them, that was called "the fort." Even Salt Lake City was at least partly walled in; not perhaps so much from any necessity for it, as for the effect of example in inducing other settlements that were in danger zones to "wall up," or "fort up."

THE WALL OF SALT LAKE CITY

The bishops of the ecclesiastical wards of Salt Lake City met with the city council on the 23rd of August, 1853, and reported all their wards as being "unanimous for walling in the whole of the city, with a good ditch upon the outside of the wall." It was decided to build it of mud to be taken from the proposed ditch, mixed with straw, or hay, and gravel, and laid up in courses, each as deep as the consistency of the mud would allow, and when dried to be repeated until a wall of sufficient height was finished. It was decided to make the wall six feet thick at the bottom, to be carried up with an equal slope on each face to six feet high, where it would be two and a half feet thick; thence to be carried up at that thickness six feet higher, and rounded at the top. The wall though never completed entirely round the city, was about six miles in extent.¹ The walls of other settlements of this period were similar in construction.

1. The committee appointed to designate the line of the wall was made up of Albert Carrington, Parley P. Pratt and Franklin D. Richards. The description of the wall is from *History of Brigham Young, Ms.*, entry for August, 1853, p. 99-100. Also *Millennial Star*, vol. xv, p. 738. Burton calls it "a Romulian wall of puddle mud, clay, and pebbles, six miles * * * in length," and the dimensions as above. (*City of the Saints*, 1862, p. 197. See also *Liverpool Route*, p. 110).

In addition to this city wall building, it was designed to inclose by a stone wall the site of the "University of Deseret" on the east bench, one mile square;² and in May, 1852, Brigham Young reports that 135 rods of stone wall had been erected at a cost of \$8,255.³

THE TEMPLE SQUARE WALL

To the same wall-building period belongs the erection of the wall around temple square, the only fragment of the wall-building period, that now (1930) survives the ravages of time, an expanding city, and the long-since wrought changes from frontier conditions. The temple square wall was begun on the 3rd of August, 1852, and completed about two years later.⁴ It is ten feet high. The foundation and coping are of dressed, red sandstone. The main body of the wall and pillasters, of which there are thirty on each side, are of adobies, plastered with hard cement.

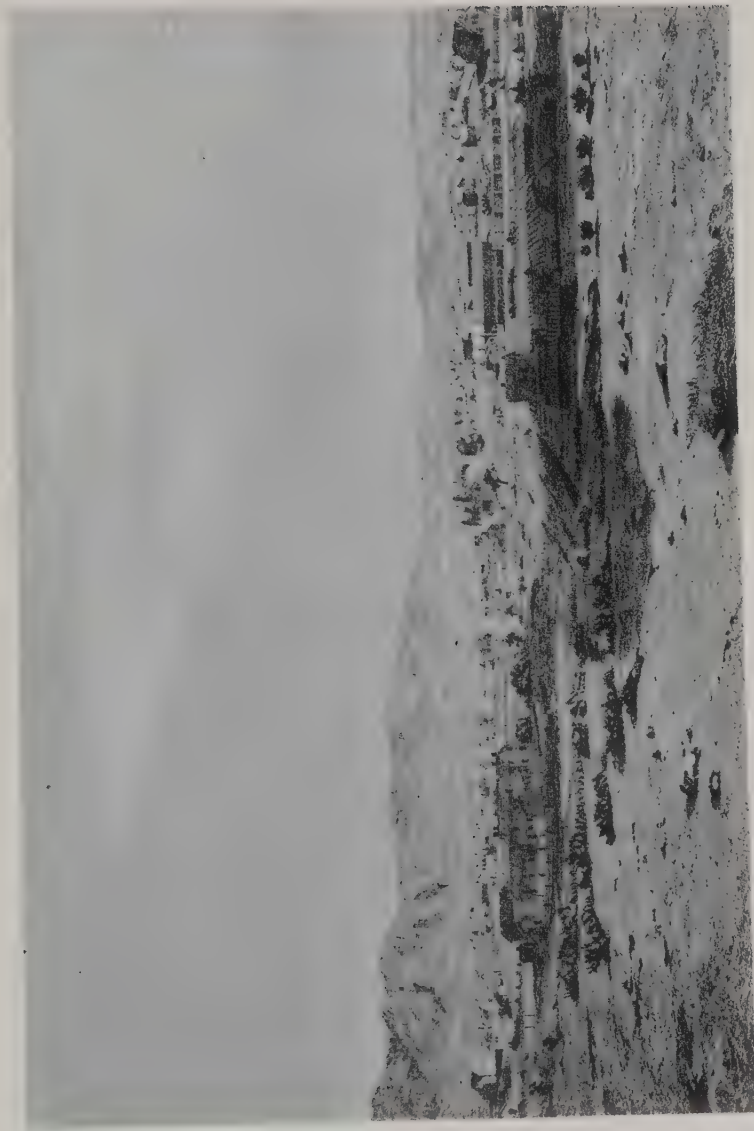
STRENGTHENING THE SETTLEMENTS

Another thing resulting from this Indian war of 1853 was the strengthening of the settlements at some distance from Salt Lake City. At the October conference of that year, Elders Geo. A. Smith, Erastus Snow, and Franklin D. Richards, of the council of the twelve were called to select fifty families and go with them to strengthen the settlements in the far south—in Iron county; also fifty families to strengthen Fillmore; Wilford Woodruff and Ezra T. Benson, of the same council, were called to take fifty families and strengthen the settlements in Tooele county; Lyman Stevens and Reuben W. Allred, fifty families for each of the settlements in San Pete; Lorenzo Snow of the council of

2. "The site selected for the buildings and grounds all lie east of the city and cover a mile square." (*Liverpool Route*, 1854, p. 110).

3. "This wall when finished was designed to enclose the university grounds situated on the bench east of Great Salt Lake City." (*History of Brigham Young, Ms.*, entry for May, 1852, p. 50)

4. Eighth General Epistle of the Presidency, *Millennial Star*, vol. xv, pp. 113-117.



GREAT SALT LAKE CITY, 1853

A Frontier Town—Future Metropolis of the great
intermountain plateau—the Great Basin.

the twelve to take fifty families to Boxelder county; Joseph L. Heywood, fifty families to Nephi, in Juab county; Orson Hyde to raise a company to make a permanent settlement on Green river, near Fort Bridger.⁵

It will be seen from the above that a number of the leading men recently prominent in foreign mission fields, were now called upon to lead in strengthening the home colonies; and a new and unconscious aristocracy arose in the colonies of the Latter-day Saints in those days—an *aristocracy of service*.

Elsewhere representing the service of such men as those above alluded to I have said: "Never have a people been more blessed with unselfish leaders than the Latter-day Saints. Men blessed with divine insight and power have given their services, practically without remuneration, for the welfare of their people. They have labored in season and out of season for them. They have given not only a teaching service, tending to make the truth clear, but they have given freely of their business ability, executive and judicial abilities. Men of statesmanlike quality of mind, have devoted their lives to their people, and practically without earthly reward, and many of them, the most of them, in fact, have died poor in this world's goods, but rich in the consciousness of service for fellowmen well performed. I write these words from the midst of a people, who, when they read them will think of hundreds of men who have lived and wrought out life's service among them, in the very spirit here described."⁶

PUBLIC ANNOUNCEMENT OF THE DOCTRINE OF THE "PLURALITY
OF WIVES"

It is time now to turn from these secular matters to developments of another sort and more especially affecting the church. In 1852 came the public and official announcement of the doctrine and practice of plural marriage. It

5. Minutes of the October Conference for 1853, *Millennial Star*, vol. xvi, p. 14.

6. *Defense of the Faith and the Saints*, vol. ii, p. 227.

was made at a special conference of the church held at Salt Lake City on the 28th and 29th of August. The conference was not called specifically to make that announcement, so far as appears from the minutes of the proceedings. Indeed, the explanation is made in the minutes that the conference was called a month earlier than usual in order to make it a more convenient season for the elders who were to leave Salt Lake valley for their missions to the world, one hundred and eight being designated by the conference to go to various nations. Then in the forenoon of the second day, Elder Orson Pratt, in opening his remarks stated that quite unexpectedly he had been called upon to address the people that forenoon, and still more unexpectedly to address them upon the subject that evidently had been announced—"namely, a plurality of wives."⁷ He then proceeds with a lengthy discourse upon the subject of this feature of the marriage system of the New Dispensation, already discussed in a previous chapter of this *History*.⁸ "We shall endeavor to set forth before this enlightened assembly," said the speaker, "some of the causes why the Almighty has revealed such a doctrine, and why it is considered a part and portion of our religious faith. And I believe they will not under our present form of government (I mean the government of the United States), try us for treason for believing and practicing our religious notions and ideas. I think, if I am not mistaken, that the Constitution gives the privilege to all the inhabitants of this country, of the free exercise of their religious notions, and the freedom of their faith, and the practice of it. Then, if it can be proven to a demonstration that the Latter-day Saints have actually embraced, as a part and portion of their religion, the doctrine of a plurality of wives, it is constitutional. And should there ever be laws enacted by this government to restrict them

7. *Deseret News*, extra, Sept. 14, 1852.

8. Chapter xlv.

from the free exercise of this part of their religion, such laws must be unconstitutional."

This paragraph was preceded by a denial of the supposition that the doctrine was accepted by the saints "to gratify the carnal lusts and feelings of man." "That," said the speaker, "is not the object of the doctrine." The discourse is devoted to the central thought that marriage is ordained of God for the legal perpetuation of the race, that men might, in the way ordained of God, fulfill the divine injunction "to be fruitful and multiply and replenish the earth, and subdue it;" and the chief justification urged for establishing the doctrine of a plurality of wives was, that under the restriction and limitations under which the principle was to be practiced, it would give the opportunity to righteous men and women to have "a numerous and faithful posterity to be raised up and taught in the principles of righteousness and truth."

In the afternoon President Brigham Young gave an account of the preservation of a copy of the revelation originally given to Joseph Smith—already considered in a previous chapter⁹—and predicted the ultimate vindication of the truth of the principle involved.¹⁰

TIMELINESS OF THE ACTION

It was time this action was taken. The church owed it to frankness with the world to make the official proclamation; for many were in doubt in respect of knowing what course to pursue. It had been a matter of wide knowledge within the church for some time that such a principle was believed in and practiced by many of the leading elders; and yet none to whom this knowledge had come, felt at liberty to make proclamation of the doctrine, neither was it their prerogative to do so; and in the absence of an official an-

9. Chapter xlv.

10. The proceedings are given at length in the *Deseret News, Extra*, 14th September, 1852.

nouncement it had become a source of embarrassment. Justice to the women involved in the system, moreover, no less than candor with the world, also required this official proclamation; for their standing must have become equivocal had it been much longer delayed.

EFFECT OF THE PROCLAMATION

As to the effect this proclamation had upon the work in general men will differ in their opinions. That at the first it gave the opponents of the work great advantage, may not be doubted; for from every foreign mission came reports of increased opposition resulting in many cases in mob violence. Indeed the reports of the "run-a-way officers"—"Brochus, Day and Brandebury," and their charge of the practice of plural marriage in Utah, now confirmed by the official proclamation of the doctrine and the practice of it, became the chief weapon in the hands of the opponents of the New Dispensation. From the islands of the sea; from Denmark, Sweden and Norway; from distant India as well as from England and the United States came reports of opposition and of increased persecutions ostensibly justified because of the church's announced belief in the doctrine and practice of plural marriage.¹¹ The great number that were excommunicated from the church in 1852-1853 is generally referred to as indicating the effect of the official proclamation of this doctrine to the world. This, however, is not fairly presented by the opponents of the church. An appeal is generally made to the statistics of the church in the British Isles in proof of the disastrous effects of the announcement:

"The statistical reports of the mission in the British Islands—June 30th, 1853—show that the enormous number of *seventeen hundred and seventy-six persons* were excommunicated there during the first six months of the preaching of polygamy. * * * The entire church then numbered, men, women, and children over eight years

11. See reports from the missions in *History of Brigham Young, Ms.*, for the years 1853-54-55, *passim*; also *Deseret News*, for the same years, the *Millennial Star*, ditto, *passim*.

of age, 30,690. There were forty 'seventies,' and eight 'high priests,' from Utah, in Britain at that time, carrying with them a powerful personal influence to help the saints to tide over the introduction of this doctrine. These Utah missionaries were aided by a native priesthood of 2,578 elders; 1,845 priests; 1,416 teachers; 834 deacons; and yet no less than 1,776 recusants were excommunicated. That tells its own tale.

That all these persons withdrew from the fellowship of the Mormon church on account of polygamy would be an unfair inference. Still, doubtless polygamy was the great contributing cause of apostasy."¹²

Had Mr. Stenhouse consulted the statistical report which ended the 31st of December, 1852, the six months previous to the period he appeals to, and which could not possibly have been affected by the proclamation, because knowledge could not have reached England in time to produce any effect on the statistics of that period, he would have found that the excommunications were reported to be 2,164; that the church membership was practically the same; and that to teach the truth and guard the church from evil the ministry from Utah and the native priesthood were practically as strong

12. *The Rocky Mountain Saints*, Stenhouse, p. 202. The figures by Stenhouse are quite correct. (See *Millennial Star*, vol. xv, p. 510). The italics of the text are Mr. Stenhouse's. Mr. Linn follows Stenhouse saying: "With the Mormon church in England, however, the publication of the new doctrine proved a bombshell, as is shown by the fact that 2,164 excommunications were reported in the British Isles to the semi-annual conference of December 31st, 1852, and 1,776 to the conference of the following June." (Linn's *Story of the Mormons*, p. 287). News of the official promulgation of the doctrine of plural marriage could not have reached England, however, until the latter part of December; therefore, it could have produced no effect upon the number of excommunications for the six months ending December 31st, 1852. Mr. Linn's use of figures disclosing his anxiety to prove that the announcement of the plurality doctrine was a veritable "bombshell in England," would prove that in the six months preceding the proclamation, the excommunications were greater by 388 than in the six months after its proclamation. The editor of the *Star*, however, complains of some inaccuracy in the reports for the six months ending Dec. 31st, 1852, in connection with the excommunications, deaths, and emigration, without being able to tell on which item the error falls; and that error may account for the unprecedented number of excommunications reported for the six months preceding the proclamation of the doctrine of plural marriage. (See editorial comment in *Millennial Star*, vol. xv, pp. 73, 74). In any event the excommunications in that period could not have been effected by a proclamation which in that period had not come to the knowledge of the church in the British Isles.

in the one period as in the other.¹³ Six months still further back,—the statistical report ending June 1st, 1852—would establish the same thing, only that the excommunications for the period—the church membership and the “guarding priesthood” being practically the same—were even greater than in the six months noted by Stenhouse, namely, 1,795, as against 1,776. Taking the period six months later than the one cited by Stenhouse, and when the bad effects from the proclamation of the plural marriage doctrine, if any, would have been more pronounced than in the first six months following it, and the excommunications were fewer than in the first period of six months; *viz.*, for the six months ending December 31st, 1853, 1,413, as against 1,776, noted by Stenhouse, the total membership of the church in the British Isles and the guarding priesthood was not widely different.¹⁴

It is evident, then, that there were no disastrous effects from the proclamation of the plurality doctrine so far as any material increase in the number of excommunications shows. The membership of the church through the period considered before and after the proclamation of the doctrine remained practically constant, the variations in total membership, baptisms, and emigration fluctuating in about the same manner before as after the proclamation.¹⁵

It may be said by way of accounting for the very nu-

13. That the reader may make the comparison the exact figures are given. There were 17 seventies, 10 high priests; elders 2,572 (all may not have been native elders; in this number and that given by Stenhouse there may have been some Utah brethren); 1,913 priests; 1,446 teachers; 856 deacons. (*Millennial Star*, vol. xv, p. 78).

14. The total membership in the Stenhouse period was 30,690; in the report six months later it was 30,827. While the “guarding priesthood” was only slightly increased; in the latter period being 49 seventies, 13 high priests; 2,678 elders; 1,849 priests; 1,406 teachers, and 815 deacons. (*Millennial Star*, vol. xvi, p. 78).

15. The church membership for the half year ending June 1st, 1852—a period preceding by nearly a year any effect that could come from the proclamation of plural marriage was 32,340; the number baptized in that period was 3,265; the number emigrated, 496. (*Millennial Star*, vol. xiv, p. 318). The membership for the half year ending December 31st, 1852, was 32,339; the number baptized, 3,400; emigrated, 85 (*Millennial Star*, vol. xv, p. 78). The report for the half year ending June 30th, 1853, gives the membership at 30,690; the baptisms at 2,601, the emigration at 1,722; (*Millennial Star*, vol. xv, p. 570). (See note 11, respecting these figures). For the half year ending December 31st, 1853, the memberships are represented at 30,827; baptized, 1,976; emigrated, 58 (*Millennial Star*, vol. xvi, p. 78). For the half year ending June 30, 1854, the membersh-

merous excommunications during the period considered, that it was a time marked for its severity of discipline. Neither evil nor the appearance of it was tolerated; and the procedure as to excommunications was often summary and attended with little formality. Only the proper exercise of a little more of the Christian virtues of patience and charity would doubtless have materially reduced the number expelled from the church in these years; but those were the days of fiery zeal, and impatience against those who did not attain, by a single bound, to the realization of Christian ideals of the New Dispensation.

MISSION PUBLICATIONS—"THE SEER"

The proclamation respecting the plural marriage principle may be said to have inspired the church with renewed determination and larger effort at propaganda. Orson Pratt was sent to Washington to publish a periodical in advocacy and defense of the faith including the newly proclaimed plurality doctrine. This periodical Elder Pratt called *The Seer*, "in commemoration of Joseph Smith, the Seer of the last days," he explained in the Prospectus, issued December 21st, 1852.¹⁶ The first number of *The Seer* came from the press in January, 1853, and continued through one year and

is given at 29,797; baptized 2,213; emigrated 1,380 (*Millennial Star*, vol. xvi, p. 470). The increase in the number emigrated over the six months previous accounts for the falling off in the total membership in this last period.

16. *The Seer*: This periodical was a sixteen page octavo monthly and was to be devoted to original matter "elucidating the doctrines of the Church of Jesus Christ of Latter-day Saints, as revealed in both ancient and modern revelations. * * * The doctrine of celestial marriage, or marriage for all eternity, as believed in and practiced by the saints in Utah territory will be clearly explained. The views of the saints in regard to the ancient patriarchal order of matrimony or plurality of wives, as developed in a revelation given through Joseph Smith, the Seer, will be fully published." [It was in the very first number]; also the celestial origin and pre-existence of spirits, etc. "It is hoped the president-elect," continued the publishers, in the Prospectus, "the honorable members of congress, the heads of the various departments of the national government, the high-minded governors and legislative assemblies of the several states and territories, the ministers of every religious denomination, and all the inhabitants of the great republic will patronize this periodical." As early as April, 1855, President Brigham Young wrote the editor of the *Millennial Star*, who was republishing *The Seer* in England, not to republish any more numbers of it; that while it was admitted that there were many beautifully written articles in it, there were also many

a half, frankly and boldly setting forth the doctrine of the church on the subject of marriage and all related doctrines.

Elder Pratt also took a hall in Washington—"Temperance Hall"—and delivered about twenty lectures "upon subjects pertaining to the Kingdom of God." "So few attended," however, "that he was obliged to close for want of hearers."¹⁷

JOHN TAYLOR PUBLISHES "THE MORMON"—NEW YORK

Elder John Taylor, in less than a year after Elder Pratt's departure for Washington, was sent to New York on a similar mission to that of Elder Pratt's.¹⁸ He published *The Mormon*. It was a handsome, royal, twenty-eight columned weekly. It had a very striking and significant heading, filling up at least one-fourth of the first page. It represented an immense American eagle with outstretched wings poised protectingly above a beehive, and two American flags. Above the eagle was "an All-seeing Eye" surrounded by a blaze of glory, and the words: "Let there be light; and there was light."

The Mormon office was situated on the corner of Nassau and Ann streets, with the offices of the *New York Herald* on one side, and those of the *Tribune* on the other. Elder Taylor was thus in the very heart of Gotham's newspaper world.

items of erroneous doctrines; and for this reason the saints were cautioned against accepting *The Seer*. (*Millennial Star*, vol. xvii, p. 298). Ten years later the matter was considered in counsel and *The Seer*, with some other writings of Elder Pratt, namely an article on The First Great Cause (see *Pratt's Works*, Liverpool edition, 1851); and an article on The Holy Spirit (*Millennial Star*, vol. xii, No. 20), with these the first presidency and twelve could not agree, and they were condemned, Elder Pratt acquiescing in the action of his brethren. (See *Deseret News*, Aug. 23rd, 1865).

17. *History of Brigham Young, Ms.*, entry for March, 1853, p. 36. The chronicle adds that "Elder Pratt had never enjoyed more liberty of speech than in delivering these lectures. The spirit rested upon him mightily, but the hearts of the people were sealed against the truth, and he marveled exceedingly at this unbelief and hardness of heart." "Many of the saints in the states," however, "from whom the light of truth had well nigh departed were again reviving and inquiring how they might get to the valley." (*Ibid*).

18. Elder Taylor was called at a special conference held at Salt Lake City, June 27th and 28th, 1854. Elders N. H. Felt, Alexander Robbins, Peter Clinton, Martin H. Peck, and Able Lamb were his associates.

Selecting such a stand is evidence enough that he did not intend to assume a shrinking or apologetic attitude.

During the more than two years and a half that *The Mormon* was continued in existence it was a most fearless advocate and defender of the faith, including the plurality doctrine.¹⁹ In an early number of *The Mormon*, its editor said:

"We have said before, and say now, that we defy all the editors and writers in the United States to prove that 'Mormonism' is less moral, scriptural, philosophical; or that there is less patriotism in Utah than in any other part of the United States. We call for proof; bring on your reasons, gentlemen, if you have any; we shrink not from the investigation, and dare you to the encounter."

BITTERNESS OF THE NEW YORK PRESS—TAYLOR'S BOLDNESS

Stirred by this bold challenge the *New York Mirror* denounced "Mormonism" as "an immoral excrescence," that was "allowed to spring up and over-top the Constitution itself." "Why," inquired the editor, a Mr. Fuller—"Why are there no public meetings convened in the tabernacle to denounce Mormonism?" To this Elder Taylor in *The Mormon* replied: "We are ready to meet Mr. Fuller in the tabernacle on this question at any time. We court investigation and have nothing to hide." Mr. Fuller did not accept the challenge. The *New York Herald* was bitter in its attacks upon "Mormonism" and the saints in Utah. It proposed that a meeting be called in Tammany Hall and that the ministers of the several churches should expose the absurdities and wickedness of the "Mormon" system. Elder Taylor promptly announced his willingness to meet those ministers in such a gathering, and defend both the character of the saints and their doctrine. The meeting was not called. The ministers of the several churches were not fighting "Mormonism" that way. The *New York Sun* was in the field against

19. The first number of *The Mormon* issued from the press on the 17th of February, 1855. The last on the 19th of September, 1857. For an extended review of *The Mormon*, see *The Life of John Taylor*, Roberts, 1892, ch. xxviii.

"Mormonism" and behind none of its contemporaries in the bitterness of its attacks. So bitter indeed was the press generally that the *Woman's Advocate* deplored the lack of charity manifested in the discussion of the Utah question. In 1855, through a combination of extreme drought and plague of grasshoppers the people of Utah were threatened with famine. The press of the east hinted that if the famine came *that* might be the solution of the Utah question! It was at this point that the *Woman's Advocate* spoke out against the lack of Christian charity.

It seems almost incredible that such should be the attitude of the eastern press, but in proof that such was its attitude, I quote from the *Advocate's* article, as copied in full into *The Mormon*. After giving at length the reports of the prospective famine in Utah, the *Advocate* then said:

"We need not be surprised if we learn next spring that thousands have perished miserably of starvation. In view of this alarming condition of many thousands of our countrymen and countrywomen, we might reasonably expect to witness some manifestation of sympathy in a portion, at least, of the numerous newspapers which publish the accounts of the damage the crops are sustaining. But not one word is spoken anywhere of regret or sympathy; on the contrary there are frequent manifestations of satisfaction that the problem of Mormonism and its destiny is likely to be settled by the grasshoppers. What little comment we have noticed here and there has a tone of delighted chuckle that chills the blood. *There is a spirit of murder in it*, a suppressed shout of triumph of the persecutor over his victim, that is suppressed only because the triumph is not yet sure."²⁰

In the midst of these hard conditions *The Mormon*, with such boldness and an ability that could but command respect, maintained the cause of the Church of the Latter-day Saints and the political rights of the people of Utah to local self-government.

To the above suggestion of the *Woman's Advocate* that there was a lack of charity in the discussion of "Mormon"

20. See *The Mormon*, Sept. 22, 1855.

affairs, and an ill-concealed rejoicing in the prospect of a solution of the Utah question by the calamity of famine, the *New York Sun* replied:

"As to the alleged want of sympathy it is enough to say that there has yet been no appeal for help from Utah. If an appeal were made in the name of humanity, the degrading and disgusting doctrines of Brigham Young, and others of the priesthood, promulgated as articles of faith, would not hinder the American people from responding to it."

To which Elder Taylor with some warmth answered:

"The *Sun* says there has been no appeal from Utah for help. An appeal for help indeed! They have called for their own, but their rights have been continually withheld, though your statesmen owned their cause was just. And shall they now ask charity for those that robbed and despoiled them of their goods and murdered their best men? We have been robbed of millions and driven from our own firesides into the cold, wintry blasts of the desert, to starve by your charitable institutions, and shall we now crave your paltry sixpences? Talk to us with your hypocritical cant about charity! Pshaw! It's nauseating to every one not eaten up with your corrupt humbuggery and pharisaical egotism. You forget you were talking to Americans, born upon the soil of freedom, suckled in liberty, who have inhaled it from their fathers' lips—sons of fathers who fought for rights which you, in your bigotry and self-conceit, would fain wrench from them. Intolerance has thrice driven them from their homes, but the wild burst of liberty of '76 now reverberates through the mountain passes of Utah, bidding defiance to mobocracy and its leaders; and hurling mock charity and pretended patriotism back to the fount of corruption from which it issues. The 'Mormons' neither need your sympathy nor your cankered gold. Your malicious slanders only excite contempt for those base enough to utter them. Your contemptible falsehoods fail to ruffle a feather in our caps. * * * The God of Jacob in whom the 'Mormons' trust—he who brought up Israel out of Egypt—he it is who sustained the 'Mormons' in their tedious journeyings over the barren deserts and wild mountain passes of this continent. In the dark hour of trial, amid all their distresses, without friends or home—God upheld and sustained them; he sustains them still, and will cause them to shine forth with the bright radiance of eternal truth over the wide world, long after their malicious slanderers shall have sunk to oblivion in the filth of their own corruptions."²¹

This boldness in rejoinder to all opponents reminds one of the tone of Tertullian's defense of the early Christians.

21. *The Mormon*, Oct. 6th, 1855.

Of him it is said: "His was not the tone of a suppliant pleading for toleration. *He demanded justice.*" So with Elder Taylor and *The Mormon*.

ERASTUS SNOW FOUNDS THE "ST. LOUIS LUMINARY"

A periodical was also established at St. Louis, edited by Elder Erastus Snow, the *St. Louis Luminary*. This was a twenty column folio sheet, weekly, and was designed to do the same work in the western states that *The Seer* and *The Mormon* were doing in the east, *viz.*, advocate and defend the faith, and maintain the rights of the Latter-day Saints both in Utah and throughout the country. The *Luminary*, however, only continued in existence a little more than a year,²² its prosperity being interrupted by the migration of more than two thousand of the saints from the western states to Utah, which migration was directed by the editor of the *Luminary*, from where it rendezvoused at "Mormon" Grove, near Atchison, Kansas.

GEORGE Q. CANNON ERECTS THE "WESTERN STANDARD"

Somewhat later, yet belonging to this same period of Latter-day Saint history, the *Western Standard* was founded early in 1856, at San Francisco, California, by Elder George Q. Cannon, then a young man who had attracted attention by a very successful mission among the natives of the Hawaiian Islands, and into whose language he had translated the *Book of Mormon*.²³ The *Western Standard* was a twenty-

22. The first number of the *Luminary* issued from the press November 22, 1854, and the last on Dec. 15, 1855. Though less dashing in spirit than *The Mormon*, it was, nevertheless, an ably edited periodical.

23. Elder Cannon was the son of Captain George Cannon and Ann Quayle Cannon, natives of Peel, Isle of Man. The Cannon, or Cannan family—the name is spelled both ways in the records—came originally from the borders of England and Scotland, and is supposed to have removed to the Isle of Man on account of political troubles in which they became involved. In the latter place the family estate has been in the possession of representatives of the family—as it is now (1930)—for more than three hundred years, and is called Cooilshallah. George Q. Cannon was born at Liverpool, England, Jan. 11th, 1827. His parents were converts to the "Mormon" faith under the missionary labors of John Taylor in 1840; and George Q., a few months after the baptism of his parents also became a

four column, royal folio weekly, which continued its existence a little more than a year and a half, its publication being brought to a close by the outbreak of the "Utah War," of 1857.²⁴ The *Standard* was ably edited by Elder Cannon, who possessed a very pleasing literary style, wide knowledge, and a sound understanding. The *Standard* marked a distinct advance in "Mormon" periodical literature.

Three of these four periodicals—*The Mormon*, the *St. Louis Luminary* and the *Western Standard*, were similar in form and general character, all weeklies, and all published in advocacy and defense of the faith of the New Dispensation. All reproduced from the *Deseret News*, published at Salt Lake City, the messages to the legislature, official proclamations, and correspondence of Governor Young; also many of his public discourses, delivered in his capacity of president of the Church of the Latter-day Saints, as also the discourses of other prominent elders of the church. In these matters there was great frankness. Much that was said in the warmth of enthusiasm, and under irritation produced by a felt sense of injustice exercised towards the saints, and the lively recollections of injuries received in the past, and threatened evils for the future, much—even too much, is likely to be the verdict of history—of this class of matter was reproduced in the "Mormon" periodicals at New York, St. Louis and San Francisco; and even in the *Millennial Star* and *Jour-*

member of the church. The family removed to Nauvoo in 1843, where young Cannon entered the printing and publishing office of John Taylor, his uncle by marriage. George Q. Cannon came to Utah with the family of John Taylor in the fall of 1847. Two years later he went to California in company with Elder Charles C. Rich, and the next year was called with nine others on a mission to the Hawaiian Islands. On returning from that mission he was appointed to labor in California, where he founded the *Western Standard* as detailed in the text above. Good biographical sketches of George Q. Cannon will be found in the *Latter-day Saints Biographical Encyclopedia*, Jenson, and in Whitney's *History of Utah*, vol. iv.

24. The first number bears the date of Feb. 23rd, 1856; the last number Sept. 18th, 1857. A book of more than 500 octavo pages was made up from the editorials of the *Standard*—so well were they thought of—in order to preserve them in more available and permanent form than was possible in the periodical in which they first appeared.

nal of Discourses,²⁵ published in Liverpool, England, during this period. A perusal of these periodicals will effectually refute the notion, so generally prevalent, that one kind of "Mormonism" is preached in Utah and another in the world.²⁶ A more prudent policy, perfectly justifiable, too, would have declined to reproduce some ill-natured, and some ill-advised utterances that represented a passing vexation, a moment of overzeal, an excited, temporary enthusiasm, rather than the real and settled principles, or the habitual attitude of mind of the Latter-day Saint Church leaders, respecting many of the subjects discussed at the time and under the conditions referred to above.

The impetus given to missionary work and the founding of foreign missions in the memorable activities of 1849-50 was continued in the period now under consideration.

MISSIONS

(a) *Hawaiian Islands*: In 1850-51, a mission in the Hawaiian Islands was established which has been continuous and one of the most successful missions of the church, many thousands of its native population having accepted and been faithful to the New Dispensation of the gospel. The mission that first went to the islands numbered ten in all.²⁷ They were sent to these islands under the authority of Elder Charles C.

25. *The Journal of Discourses* was published in England, beginning in 1854. The *Journal* appeared as a sixteen page, semi-monthly periodical. At the end of each year these numbers were bound, making an annual volume that ran through many years, and constitutes a library of "Mormon" practical instruction, ethics, religion, philosophy, and history as voiced by the presidency of the church, members of the apostle's quorum, and other prominent elders of the church. While these discourses are not held by the church to be final authority on the subjects of which they respectively treat, they are, nevertheless, regarded as profitable for doctrine, for reproof, for correction, for instruction in righteousness, and, in the main are sound both in doctrine and ethics.

26. For confirmation of such charges being made and a refutation of them see *Defense of the Faith and the Saints*, Roberts, 1912, vol. ii, part ii, art. ii, Review of Address to the World, by Ministerial Association, Salt Lake City; and art. iii, Roberts' Answer to Ministerial Association Review, pp. 255-363.

27. Their names were Hiram Clark, Thomas Whittle, H. W. Bigler, Thomas Morris, John Dixon, William Farrer, James Howkins, Hiram Blackwell, George Q. Cannon and Thomas Keeler. (See Report of the Church Historian on Mission in *Utah Pioneers*, p. 28. Also *My First Mission*, Geo. Q. Cannon, p. 11).

Rich of the council of the twelve apostles,—then presiding in California.²⁸ Five of the mission, including the president, Elder Hiram Clark, soon became discouraged and left the islands; the other five remained, and preached to the natives with great success. The first branch of the church was organized in 1851 at Kula upon the Island of Maui by Elder George Q. Cannon, who also translated the *Book of Mormon* into the Hawaiian language, which subsequently was published in San Francisco, in 1855.

In 1851 a second group of elders was sent to the islands, three in number, Philip B. Lewis, Francis A. Hammond and John S. Woodbury. The first two were accompanied by their wives, and sister Woodbury shortly afterwards also joined her husband. Elder Lewis was appointed to the presidency of the mission.

There was some opposition to the work of the elders by representatives of other churches, and this for a time checked the progress of the work, more especially as the natives were not prepared then to endure the opposition and persecution for religious convictions. "The missionaries,"—that is of other churches—wrote Elder F. A. Hammond, some time after his arrival on the islands, "succeeded in putting a stop to our labors, but the government gave their full consent to our laboring here, and the United States consul took an active part in getting granted to us the same rights as the other denominations, since which time the work has been increasing rapidly and we now number about six hundred members upon all the islands, four hundred and fifty of them upon this island (i. e. Maui): we baptized about two hundred and fifty since Christmas, and the work is still going ahead."²⁹

From that time on the mission among the natives has been quite uniformly successful.

28. See Cannon's *My First Mission*, p. 19,

29. The letter is dated March 1st, 1852, *Deseret News*, July 24th, 1852.

(b) *South America—Chile*: In February, 1851, Elder Parley P. Pratt was called and set apart by the presidency of the church "to a mission to open the door and proclaim the gospel in the Pacific Islands, in Lower California, and in South America."³⁰ In this capacity he arrived on the Pacific coast in March. It was under his appointment and authority that the second group of elders were sent to the Hawaiian Islands carrying with them from the apostle a letter of introduction to his majesty, King Kamahamaha, at the time the reigning monarch of those islands. Elder Pratt also wrote Elder Addison Pratt in charge of the work in the Society Islands announcing his own presidency over all the islands and coasts of the Pacific, and urged Elder Addison Pratt to send elders to the Friendly Islands and to other groups as rapidly as circumstances would permit; also announcing his own intention of sending elders to New Zealand, and Van Dieman's Land; and also announced his intention to visit Chile in South America.³¹ Elder Pratt afterwards went to Chile, accompanied by his wife and Elder Rufus Allen. The mission took up their residence in Valparaiso, where they remained several months; and resided about one month forty miles in the interior. But owing to a revolution then in progress in Chile, the restriction of the laws as to religious freedom, but little could be accomplished and the mission returned to California in May, 1852.

(c) *Australia and New Zealand*: In his capacity of president of the Pacific Coast and the Islands of the Pacific Mission, Elder Pratt sent Elders John Murdock and Charles W. Wandell to Australia. This mission landed at Sidney on the 31st of October, 1851.³² By January, 1852, they organized a

30. *History of Brigham Young, Ms.*, entry for January, 1851, p. 8.

31. These several official acts are recorded in Elder Pratt's *Autobiography*, ch. xlviii.

32. *History of Brigham Young, Ms.*, 1851, pp. 67 and 42. This was not the first mission sent to Australia. Eleven years before Elder William Barrett was sent by apostolic authority—by Geo. A. Smith of the council of the twelve—from England, to preach the gospel in that land; "and he was enabled to sow the good seed," remarks the church historian, "which afterwards bore fruit." (*Answers to Questions*, p. 33).

branch of the church in Sydney and published a periodical called *Zion's Watchman*. The branch at Sidney was organized on the 4th of January, 1852, with thirteen members;³³ and these by March following were increased to thirty-six.³⁴ Of the one hundred and eight missionaries called at the special conference of the church held at Salt Lake City in August, 1852, nine were sent to Australia,³⁵ and some of these extended the mission work of the church to New Zealand and Tasmania, then called Van Dieman's Land, and continued the publication of *Zion's Watchman*. The Australian and New Zealand Mission has been continuous since that time, and especially fruitful of converts among the natives of New Zealand.

(d) *Other Missions*: Of the other missions founded, or of the effort to found them in this period, the church historian, George A. Smith, records the following, and all of the missions here mentioned were appointed from the special conference at Salt Lake City, held in August, 1852, the conference at which the doctrine of plural marriage was announced.

"Prussia"—In January, 1853, Elders Orson Spencer and Jacob Houtz arrived in Berlin, Prussia, but found that it was impossible to preach or publish the truth of the latter-day work in consequence of religious intoleration. These elders wrote to the king's ministers of public worship for permission to preach but were immediately summoned before the police court and catechised as to the object of their mission. They were ordered to leave the kingdom next morning, under penalty of transportation.

Gibraltar—Elders Edward Stevenson and Nathan T. Porter arrived at Gibraltar in March, 1853, and were immediately summoned to appear before the police and established their right to remain on the 'Rock.' Elder Porter was required to leave, but Elder Stevenson, having been born there, maintained his right to remain, but the governor forbade his preaching 'Mormonism.' He, however, remained over a year and baptized several, amidst threats, prohibitions and constant opposition. He also endeavored to open up the work in Spain, but was not permitted by the authorities.

33. *History of Brigham Young, Ms.*, entry for Feb., 1852, pp. 17, 18.

34. Historian's Report in *Utah Pioneer Celebration*, 1880, p. 26.

35. Their names were: Augustus Farnham, William Hyde, Burr Frost, John Hyde, Josiah W. Fleming, Paul Smith, James Graham, John S. Eldredge, and Absalom P. Dowdle.

Hindustan—Elders Nathaniel V. Jones, Robert Skelton, Samuel A. Woolley, William Fotheringham, Richard Ballantyne, Truman Leonard, Amos Milton Musser, Robert Owen and William F. Carter arrived in Calcutta and held a conference there April 29th, 1853. The Hindustanee missionaries extended their labors throughout India, as the way opened; but finding the Hindustanees destitute of honesty and integrity, insomuch that when converted and baptized they would for a few *pice* join any other religion,³⁶ and finding the Europeans so aristocratic that they were hardly approachable, they left the country, after having traveled to all the principal [British army] stations in India, where frequently they were ordered out of the cantonments and had to sleep in the open air, exposed in that sickly climate, to poisonous reptiles and to wild beasts. Elder William Willes, from England, had traveled up the Ganges, and visited Simla, and Elder Hugh Findlay, from the British Mission, labored in Bombay and the adjacent country."³⁷

THE MISSIONS OF INDIA

I interrupt this series of quotations from the church historian's compilation of *data* respecting the founding of these missions, to say that there is nothing more heroic in our

36. In illustration of this statement I give an excerpt from a letter of N. V. Jones, detailing his experience at Kishneghur, in the province of Bengal. After delivering tracts in the city printed partly in Bengalis, and part in English—for there was an English military and missionary station there, and having preached to the natives, the latter were anxious to learn what offers the brethren had to make to induce them to join the church, and this was answered:

"We told them positively that they could not be hired to serve in the kingdom of God. When they became convinced of this latter statement, they turned away with apparent sorrow, for they were evidently disappointed in the object of their search. They said: 'How can you expect us to leave our religion and go to another, if we are not paid for it.' They appeared to feel as though we had asked them to do something without remunerating them for it. They considered it purely a matter of *pice* and *rupees*, and kept constantly bantering us and making offers, expecting that we would make one in return; but when they found we were not going to, they came around us in a very crouching and supplicatory manner, with the palms of their hands together in front of their faces, and their bodies half bent, saying, '*Ek bat bolo sahib*,' (one word say, master). That is, say what you will give, say something. One stepped up and said, 'I am getting eight rupees per month, and if you will give me ten, I will go with you.' Another got on to his knees on the ground, and besought me in the most supplicating manner, catching me at the same time around both feet, rubbing his face on my shoes, until I actually saw the tears standing in his eyes, desiring in the most humiliating terms, that I would advance him something on his pay. I was finally obliged to resist him stoutly, to keep them from laying hold of my person, thinking that if I submitted to this, they had gained their object." (Letter No. 4, N. V. Jones, *Deseret News*, vol. v, 1856, p. 364).

37. It will be remembered that missions in several parts of India were opened by elders sent there by Lorenzo Snow—one of the twelve apostles—from Europe in 1850-51. (See chapter lxxxviii, this *History*). Joseph Richards should be named as among the first missionaries in India as well as Elders Willes and Findlay.

church annals than the labors and sufferings of these brethren of the mission to India. In the main they journeyed to the British army cantonments, and sought a hearing among the English officers, soldiers and camp followers. This method of procedure in fulfilling their mission took them to many parts of the interior of the great land of the east, but as their message was but indifferently received by the English at the British garrisons, they turned to the natives into whose country they had penetrated, but with little success, except in the coast towns, and even here the work among the natives could not apparently be established on any permanent basis because of the instability of the native character. Finally, in 1855, the mission in India, for the time being, was closed by President Brigham Young calling upon the elders sent to that land to return home, bringing with them as many of their converts as had means for the journey, and who could be induced to come.³⁸ Nathaniel V. Jones was the president of this mission from the time of his arrival in March, 1853, to the closing up of the mission, and conducted its affairs in a very honorable and dignified manner.³⁹

The church historian's compilation of missionary *data* is now continued:

38. See *Millennial Star*, vol. xvii, p. 651. Also the following excerpt from the general epistle of the first presidency of Oct. 29, 1855: "The East Indian missionaries have returned or are on their way hither [i. e., to Salt Lake City], having faithfully preached the gospel from two to five years in that benighted country with but little apparent success." (*Deseret News*, Oct. 31, 1855).

39. N. V. Jones, president of the mission in India, is one of the most satisfactory characters in Latter-day Saint Church history. He was a member of the Mormon Battalion, first sergeant of Company D, and made the heroic march from the Missouri to the Pacific coast. He was also a member of General Kearney's escort when that officer returned to the east, after the conquest of California, with Colonel Fremont under arrest. He became one of the early settlers of Utah, and active in all movements that made for the advancement of the commonwealth. In the territorial militia he rose to the rank of colonel. He made an exhaustive study of the iron resources of Utah and will be recorded in Utah history as one of the Pioneers in the manufacture of iron. In addition to his mission to India he also filled one in England; and for a number of years was bishop of the 15th ward in Salt Lake City, where he died on the 15th of February, 1863, and was buried with processional honors. (See *Deseret News* for Feb. 18th, 1863; also *Ibid* for Feb. 22, 1913). Bishop Jones was born at Rochester, New York, Oct. 13, 1822; and therefore was but forty years of age at his death. A family of six sons and four daughters survived him.

OTHER MISSIONS IN THE FAR EAST

China—Elders Hosea Stout, Chapman Duncan and James Lewis reached Hong Kong, China, April 27th, 1853, but owing to the revolution spreading through that country, they were unable to go elsewhere [i. e. in that country]. The inhabitants told them that they had not time to 'talka' religion. The way soon opened for them to return to San Francisco, which they did in August.

Siam—The missionaries sent, in the fall of 1852, to Siam, finding it impossible to ship thither from San Francisco, accompanied the Hindustanee missionaries to Calcutta, where, in consequence of the war in Burmah, they learned that the overland route to Siam was interrupted, whereupon Elders Chauncey W. West and Franklin Dewey concluded to go to Ceylon, and Elders Elam Luddington and Levi Savage to Siam, by way of Burmah.

Ceylon—The Ceylon missionaries encountered much opposition, partly caused by the circulation of a large number of tracts from Europe containing misrepresentations. * * * At Galle the newspapers advised the people not to receive 'Mormon' missionaries into their houses, lest they should become partakers of their evil deeds, which counsel was implicitly obeyed. The missionaries had an introduction to a gentleman living at Columbo, seventy miles distant, and proceeded thither * * * On their return they passed through thirty-seven towns, and witnessed the immoral practices and social degradation of the inhabitants. They visited high and low, priests and people, but they would neither open their doors for preaching, nor feed the missionaries.

Elder Savage remained in Burmah nearly two years, without being able to establish a branch. Elder Luddington proceeded to Bankok, Siam, where he was stoned and rejected.

South Africa—In 1853, Elders Jesse Haven, William Walker and Leonard I. Smith arrived at the Cape of Good Hope. The first three meetings held in Cape Town were broken up by rioters. Elders Smith and Walker went into the country, where they obtained a foothold and commenced to baptize. Elder Haven remained and preached amid much opposition, and raised up a branch of the church. Elder Walker proceeded to Fort Beaufort and baptized several. Elder Smith labored around Fort Elizabeth and organized a small conference.

West Indies—Elders Aaron F. Farr, Darwin Richardson, Jesse Turpin and A. B. Lambson landed at Jamaica, in the West Indies, January 10th, 1853. They called upon the American consul, Mr. Harrison, who advised them to hire a hall and announce public preaching, as the laws extended toleration to all sects, which they accordingly did; but a mob numbering one hundred and fifty persons gathered around the building, and threatened to tear it down were these 'polygamists,' as they termed the elders, permitted to preach therein. Unless the elders could give security for the price of the hall the landlord objected to their holding meetings. The elders informed him that they were not there to force their principles, upon the people—to quell mobs,

nor to protect property, but to preach the gospel of Jesus Christ to those who were willing to hear it. The elders got away from the island safely, though while they remained they had to run the guantlet, and two of them were shot at by a negro.

British Guiana—Elder James Brown and Elijah Thomas, missionaries to British Guiana, shipped from San Diego, California, to Panama, thence to Chagres and Aspinwall. From the latter port, unable to ship for British Guiana, they embarked for Jamaica. After conferring with the West India missionaries, they concluded to embark with them for Barbados, being still unable to ship for the point of their destination. After paying their passage they were not allowed to proceed thither; the prejudice was so great against the elders that the harbor agent or naval officers would not allow them to be shipped to any English island. As the only alternative they proceeded to New York with the West India missionaries, where they all landed in February, 1853, and labored in the United States, except Elder Darwin Richardson, who went to England and labored there.

Malta Mission;⁴⁰ *The 'Floating Branch'; 'The Expeditionary Force Branch'*: In 1853, Elder James. F Bell was sent from England to Malta, where several were baptized. Upon the breaking out of the Crimean war, the interest in the work was broken off, still a few of the soldiers in the British regiments that landed there obeyed the gospel. There originated from this mission three branches of the church, viz., one in Florianna, Malta, a second, called the 'Floating Branch,' in the Mediterranean, which consisted of sailors belonging to her majesty's ships the *Bellerophon*, *Trafalgar*, *Vengeance* and *Britannia*; a third, the 'Expeditionary Force Branch' in the Crimea; the latter consisted of brethren belonging to the 30th, 41st, 93rd and 95th British regiments. A few of the members of these branches lost their lives in the Crimean war."⁴¹

REFLECTIONS ON THE MISSIONARY WORK OF THE CHURCH

Thus did the Church of the Latter-day Saints in these years—1853-1855—seek to fulfill the initial obligation given to that church in the very opening of the New Dispensation, namely, to preach the gospel of the kingdom to every nation,

40. It will be remembered that the work upon this island (Malta) was begun under the direction of Elder Lorenzo Snow; and a branch of the church was organized there in June, 1852.

41. The foregoing condensed reports of missionary movements are taken from Geo. A. Smith's *Answers to Questions*, 1869, pp. 30-36. The information is compiled from the reports from these missions, the correspondence of the elders recorded in *History of Brigham Young, Ms.*, for the years 1852-1855, *passim*. For account of the "Expeditionary Force Branch"—which at one time was in Turkey—and the "Floating Branch"—both unique in the way of branches, see *History of Brigham Young, Ms.*, entry for August, 1854.

and kindred, and tongue, and people.⁴² And if the numerical and financial strength of the church be taken into account, or rather its weakness in these respects be taken into account, and if the circumstance of the location of the saints in an undeveloped and comparatively isolated country in the mountain interior of America be also considered, the splendor of this missionary spirit, and the wonder of the journeys of these missionaries to such distant lands, and their achievements in the face of all the hardships and hindrances to be endured and overcome—if all this be considered, it will render these missionary enterprises the most wonderful manifestations of Christian zeal and enthusiasm—the largest and most earnest service undertaken, within the same space of time, for God and man, since the days of the apostles of the early Christian church.

Moreover, the record of these missionary movements should correct a false impression respecting the missionary work of the Church of the Latter-day Saints. It is quite commonly supposed that the only missionary work done by said church is that of proselyting from Christian sects; that it attempts no original conversions from so-called heathen peoples. The enumeration of its missionary labors among the natives of India, Siam, Burmah, Ceylon, China, the West Indies; also, and with more success, among the American Indians, the Hawaiians, and New Zealanders, in the early years, here considered; and later in Tahiti and Samoa, as also in other groups of the Pacific, and in Japan—all this should be successful refutation of this false charge.⁴³

42. "And I saw another angel fly in the midst of heaven having the everlasting gospel to preach unto them that dwell on the earth, and to every nation, and kindred, and tongue, and people, saying with a loud voice, Fear God and give glory to him; for the hour of his judgment is come: and worship him that made heaven and earth and the sea and the fountains of waters." (*Rev.* xiv:6, 7). By the restoration of the gospel through the ministration of angels in the New Dispensation is this prophecy of scripture fulfilled. And unto the Church of Jesus Christ of Latter-day Saints is this commission of preaching the gospel anew given. Compare the above passage from the *Revelation of St. John*, with the *Doctrine and Covenants*, sec. cxxxiii.

43. Statistics on the present status of these missions will be given in vol. vi.

CHAPTER XCVII

MISCELLANEOUS EVENTS, 1851-7 (CONT'D)—CALAMITOUS INCIDENTS—"THE SAINTS SHALL HARDLY ESCAPE"

AT A public meeting in his own house, at a time when the refugee saints, sick and poverty stricken from the Missouri expulsion, were bivouacking on the Mississippi at the place which afterwards became Nauvoo, Joseph Smith spoke, and in the course of his remarks explained the uselessness of preaching to the world about "great judgments," and urged rather that the "simple gospel be preached to the world." He also explained "that it is a false idea that the saints will escape all judgments, whilst the wicked suffer; for all flesh is subject to suffering and 'the righteous shall hardly escape.' " "Still many of the saints shall escape," he continued, " for the just shall live by faith. Yet many of the righteous shall fall a prey to disease, to pestilence, etc., by reason of the weakness of the flesh, and yet be saved in the kingdom of God. So that it is an unhallowed principle to say that such and such have transgressed because they have been preyed upon by disease or death, for all flesh is subject to death; and the Savior has said, 'judge not that ye be not judged.' "¹

The saints, then, the church of Christ itself, in the light of this doctrine laid down by the Prophet, may not hope to escape misfortune, sickness, accidents, death; what I here call calamitous events; and in this chapter I propose to group together a number of such events occurring in the period of the church history now being considered.

THE CYMBACK DAMP EXPLOSION

The first of these events is a disaster in a coal mine at Cymback, near Merthyr Tydfil, Wales, in May, 1852, oc-

1. *History of the Church*, Period I, vol. iv, p. 11.

casioned by a fire damp explosion, in which sixty-nine men were killed, nineteen of whom were members of the Church of the Latter-day Saints.²

THE SALUDA DISASTER

Another disaster of the same year was the blowing up of the steamboat, *Saluda*, on the Missouri river near the town of Lexington, in the state of Missouri. The *Saluda* had about one hundred and seventy-five passengers on board, ninety of whom were Latter-day Saints under the leadership of Elder Eli B. Kelsey, *en route* for Utah. The *Saluda* left St. Louis on the 30th of March, 1852; and as she drew near to Lexington she met a mass of floating ice, which detained her at the Lexington wharf for several days. After the ice floe was past and the steamer was getting up steam to round a point above Lexington, the engineers allowed the boilers to get dry and red-hot, and as the engines started the pumps forced the cold water into the boilers, and the explosion occurred which burst the boilers to atoms, and the boat sank within ten minutes. The exact number of the killed and wounded is not definitely known, but is given by the *Lexington Express*, extra, of April 13th, as "about one hundred." Only twenty-six bodies of the killed were recovered.

Elder Kelsey, in charge of the company, and ten other leading brethren had left the boat some distance below Lexington in order to purchase cattle for the journey across the plains, and hence escaped the disaster. The people of Lexington, notwithstanding that town was in the region of Missouri where the saints suffered the bitterest persecutions but a few years before—1838—exerted themselves most nobly for the relief of the wounded; and they also gathered up for interment as many of the dead as could be recovered. Within

2. "President Philips," president of the Cymback branch, says President Young, "counselled the disorganization of the church at that place previous to the explosion." (*History of Brigham Young, Ms.*, entry for 21st May, 1852, p. 49). Implying that had such counsel been followed the saints might have escaped the calamity.

a few hours they subscribed \$1,000 for the relief of the destitute; and many among the wealthiest of the citizens opened their houses to receive the wounded, and themselves became their nurses. The steamboat *Isabel*, also *en route* up the river, witnessed the explosion, and halted to render assistance. Captain Miller of the *Isabel* generously offered free passage with free provisions, etc., to Council Bluffs, to the survivors; and quite a number availed themselves of the generous offer, and in three hours after the explosion had resumed their journey. Captain F. T. Belt of the *Saluda* was among those who were killed.³

CHOLERA OUTBREAK EN ROUTE TO ZION

The emigration of the saints from England and some parts of continental Europe in 1854, suffered greatly from cholera on the journey up the Mississippi river, and at their encampment on the Missouri preparatory to starting upon the overland journey across the plains. They were detained upon the frontiers longer than usual, and the banks and bayous and river bottoms of the Missouri, where encampment was made, generated deadly *miasmata*. The Scandinavian contingent of the emigration suffered most, losing one hundred and fifty out of a company of seven hundred. The sickness which was general with all companies, and all classes of emigrants along the Missouri that season, began to abate as the camps moved away from the river. The amount of sickness while traveling up the Mississippi in this season's emigration led to changing the port of entry for the Latter-day Saint emigration from New Orleans to Boston, and New York.⁴ It has already been noted in these pages that as far

3. See extra of the *Lexington Express*, April 13, 1852, published at length in *Millennial Star*, vol. xiv, pp. 220-222, where a list of the killed and wounded will be found. Also editorials of the *Star*, *Ibid*, pp. 217 and 282-3, *History of Brigham Young, Ms.*, entry for 21st May, 1852, p. 49.

4. *Millennial Star*, quoting *St. Louis Luminary*, vol. xvii, pp. 218-19. Even as early as the 2nd of August of 1854 this change was determined upon. Under the entry in his *History* of that date, Brigham Young writes: "I wrote Elder F. D. Richards to discontinue shipping the saints *via* New Orleans and ship them *via*

back as 1851 the presidency of the church was convinced of the necessity of obtaining a different route of travel for the saints than the one *via* New Orleans and the Mississippi river; and instructed the president of the British Mission to investigate the feasibility of a route *via* the Isthmus of Panama, or Tehauntepec, thence up the Pacific coast to San Diego; that if practical the emigration might by the new route avoid "three thousand miles of inland navigation through a most sickly climate and country." At that time a change of route was decided not to be feasible.⁵

WRECK OF THE JULIA ANN IN THE PACIFIC

In 1855, October 4th, the sailing vessel *Julia Ann*, B. F. Pond, captain, was wrecked on a coral reef near the Sicily Isles in the Society Island group. She had on board fifty-six passengers, twenty-eight of whom were Latter-day Saints bound for Utah, including in the number two American missionary elders of the church returning to Utah, *viz.*, John S. Eldredge and James Graham. Five of the saints perished in the wreck, a Sister Harris, a Sister Humphrey, and three children. The rest of the passengers and the crew succeeded in leaving the reef on a raft constructed from the wreckage and landing on Sicily Isles twelve miles distant where they lived nearly two months, from early in October to the 3rd of December, 1855, subsisting upon small shell fish and sea turtles, while Captain Pond and nine men set off in the ship's quarter boat to seek some inhabited island for help. They first reached Borabora, one of the Society Islands, about two hundred miles from the scene of the ship wreck. Here the relief seeking party divided; the first mate, one of the sailors, and a brother McCarthy going to Mopiti in search of a relief vessel, while Captain Pond and the remainder of the company

Philadelphia, Boston or New York; or if he shipped any more to New Orleans to do so in time that they might get off the rivers before warm weather and the sickly season set in. (*History of Brigham Young, Ms.*, 1854, p. 71).

5. See this *History*, ch. lxxxviii, note 9, also *Millennial Star*, vol. xiv, p. 24.

went to Huahine, also one of the Society Islands, for the same purpose. Here the captain succeeded in chartering the schooner *Emma Packer*, Captain Latham Master, to go to the rescue of the passengers of the ill-fated *Julia Ann*. The first mate and his associates were also successful in obtaining relief boats in the form of two small schooners at Mopiti, through the kindness of King Tapoa of that island. Captain Pond, however, arrived at Sicily Isles twelve hours earlier than the party from Mopiti. He took on board the wrecked passengers of the *Julia Ann* and sailed for Tahiti, where the rescued passengers were treated with great kindness by the inhabitants of that island. "The United Board, or Masonic Lodge," relieved their immediate wants by providing food and shelter for all the shipwrecked passengers, and the American consul provided for the crew. From Tahiti the wrecked company finally embarked chiefly in two groups and arrived safely at San Francisco.

This company of saints was under the leadership of a brother Penfold. The two American elders, Graham and Eldredge returned to Huahine with the rescue schooner, *Emma Packer*, and thence sailed to San Francisco, where they arrived April 23rd, 1856. Brother John McCarthy, of the second rescue party, returned to Mopiti with the two small schooners secured for the rescue service. He remained some time at Mopiti where he baptized the king's interpreter and ordained him an elder and through him preached the New Dispensation to the natives who received his message with much favor. From Mopiti he went to the Island of Riatea, where he preached and converted a Spaniard by the name of Shaw, ordained him an elder, and thence went to Tahiti, whence he sailed for San Francisco, where he arrived on the 14th of April, 1856.

A CAPTAIN DEVOTED TO DUTY

Captain Pond of the wrecked *Julia Ann* was evidently a very efficient officer and a noble man. It was the intention

of the captain to sail south of Sicily Isles and the reefs extending on the southwest of the island, but by subsequent observation, it was ascertained that the true position of the Sicily Isles was sixteen miles from the place indicated on the marine chart, and to this fact and the fierce storm raging at the time the wreck was due, and not to any lack of efficiency in the vessel's commanding officer. As evidence of his interest in his passengers and his regard for human life, as against the saving of material treasure, it is only necessary to say that while getting the passengers on shore from the wreck, Mr. Owens, second mate of the vessel, was observed to be carrying a bag containing eight thousand dollars belonging to the captain. Captain Pond ordered him to set down the money bag and instead carry a little girl ashore, which he did. The girl was saved and the money lost. This act with his subsequent work for the rescue of his wrecked passengers proclaim him a most worthy captain and an honorable gentleman.⁶

6. The account of the wreck and the rescue, and the arrival of the saints and elders at San Francisco will be found in the *Western Standard*—Geo. Q. Cannon, editor and publisher—of March 15th and 22nd; and May 3rd, 1856.

CHAPTER XCVIII

MISCELLANEOUS EVENTS, 1851-7 (CONT'D)—HANDCART IMMIGRATION DISASTER

ANOTHER disaster to be recorded within the period here considered is one connected with the "handcart immigration."

ORIGIN OF THE "HANDCART IMMIGRATION" IDEA

This method of emigrating the saints was first suggested by the presidency of the church in their sixth general epistle, addressed "to the saints scattered throughout the earth," and bearing date of September 22nd, 1851.¹ In that epistle great emphasis was laid upon the subject of the saints "gathering to Zion," as may be judged by the following excerpt:

"O ye saints in the United States, will you listen to the voice of 'the Good Shepherd'? Will you gather? Will you be obedient to the heavenly commandments? Many of you have been looking for, and expecting too much; you have been expecting the time would come when you could journey across the mountains in your fine carriages, your good wagons, and have all the comforts of life that heart could wish; but your expectations are vain, and if you wait for those things you will never come, * * * and your faith and hope will depart from you. How long shall it be said in truth 'the children of this world are wiser in their generation than the children of light.' Some of the children of the world have crossed the mountains and plains, from Missouri to California, with a pack on their back to worship their god—*gold*! Some have performed the same journey with a wheelbarrow, some have accomplished the same with a pack on a cow. Some of the saints, now in our midst, came hither with wagons or carts made of wood, without a particle of iron, hooping their wheels with hickory, or rawhide, or ropes, and had as good and safe a journey as any in the camps, with their well wrought iron wagons; and can you not do the same? Yes, if you have the same desire, the same faith. Families might start from the Missouri river, with cows, handcarts, wheel-barrows, with little flour, and no unnecessaries, and come to this place quicker, and with less fatigue, than by following the heavy trains, with their cumbrous herds, which they are often obliged to drive

1. *History of Brigham Young, Ms.*, entry for September, 1851, pp. 72-98. Same also is published, without date, in *Millennial Star*, vol. xiv, pp. 17-25.

miles to feed. Do you not like this method of traveling? Do you think salvation costs too much? If so, it is not worth having. Sisters, fifty and sixty years old, have driven ox teams to this valley, and are alive and well yet; true they could have come easier by walking alone, than by driving a team, but by driving the oxen, they helped others here; and cannot you come the easier way? There is grain and provision enough in the valleys for you to come to; and you need not bring more than enough to sustain you one hundred days, to insure you a supply for the future."²

It must have been expected by the brethren at Salt Lake City that many would act upon this suggestion and start in the spring following the publication of the epistle with handcarts as suggested; for Heber C. Kimball in the April conference following pleaded in behalf of those who were coming by that means of migration over the plains, whereupon "ninety-three persons volunteered to go out with their teams to carry provisions and render those on the road assistance."

"I followed upon the same subject," remarks President Young, "when those who had volunteered to go, voted to donate their services."³ As no such emigration started from the states that year, of course this volunteered help was not needed. Indeed the suggestion of making the overland journey across the plains by handcarts was not acted upon until the year 1856. The necessary definite instructions on this method of immigrating was given in the general epistle of the first presidency of October, 1855, and the following season it was heartily responded to by the saints in Europe.

THE HANDCART COMPANIES OF 1856

"In regard to the foreign immigration another year," (1856), said the epistle, "let them pursue the northern route from Boston, New York, or Philadelphia, and land at Iowa

2. *Millennial Star*, vol. xiv, p. 23. Those who were to come by teams were counseled to bring with them nails, glass, paints, oils, wire, osage orange, and other choice seeds, and such articles as are most needed in a new country, to exchange for bread; and start earlier than usual, "even as soon as teams can possibly be supported on the prairie so as to avoid the spring rains, and be here to assist in harvest."

3. *History of Brigham Young, Ms.*, entry for April, 1852, pp. 33-34. Also *Millennial Star*, minutes of the conference, vol. xiv, p. 355.

City or the then terminus of the railroad; there let them be provided with handcarts on which to draw their provisions and clothing, then walk and draw them, thereby saving the immense expense every year for teams and outfit for crossing the plains.

"We are sanguine that such a train will out-travel any ox train that can be started. They should have a few good cows to furnish milk, and a few beef cattle to drive and butcher as they may need. In this way the expense, risk, loss and perplexity of teams will be obviated, and the saints will more effectually escape the scenes of distress, anguish and death which have often laid so many of our brethren and sisters in the dust.

We propose sending men of faith and experience, with suitable instructions, to some proper outfitting point to carry into effect the above suggestions; let the saints, therefore, who intend to immigrate the ensuing year, understand that they are expected to walk and draw their luggage across the plains, and that they will be assisted by the fund in no other way."⁴

The immigration that year was unusually large, amounting in all to 4,326 souls; of whom 2,012 were emigrated by the means provided by the Perpetual Emigration Fund Company.⁵ The names of the eight ships and the number of saints going with each are recorded. The unusual number emigrated by the perpetual emigration fund, that is to say, means for their emigration was advanced by the company, represented an effort on the part of the church leaders in Utah to bring "to Zion" the worthy though poor saints who had long desired to gather to the body of the church, but had not been able to lay up sufficient means. "I will here repeat my wish and counsel to you," wrote President Young to Franklin D. Richards, president of the European Mission at the time, "that in your election of the saints who shall be aided by the fund, those who have proven themselves by long continuance in the church shall be helped first, whether they can raise any means of their own or not; let those be brought, so long as you can act within the means of the company, if

4. General Epistle of the First Presidency, *Deseret News*, October 31st, 1855.

5. *Millennial Star*, vol. xviii, p. 377.

they have not a sixpence in the world, but be wary of assisting any of those who come into the church now, during these troublous times for Britain, whose chief aim and intention may be to get to America.”⁶ This arrangement which was carried out would naturally and did bring into the emigration of that year many of the aged, the sickly, the feeble, and many with large families of children.

The route of the immigration in the main was *via* Boston to Iowa City, in the state of Iowa, that being the most westerly railway terminus at the time along the proposed line of travel. Here the handcart companies were fitted out for the journey across the plains. The first two companies led by Edmund Ellsworth and the second by Daniel D. McArthur left on the 9th and 11th of June respectively. These companies as reported on their arrival in Salt Lake City numbered—Ellsworth’s: souls, 266; handcarts, 52; McArthur’s: souls, 220; handcarts, 44; eight teams were divided between these two companies.⁷ A third and smaller company, chiefly composed of Welsh converts, under the leadership of Edward Bunker, left Iowa City on the 23rd of June.

The three companies made the journey to Salt Lake City without serious adventure, or loss, though of course their traveling was attended by the toil and fatigue incident to such a method of migration.

The first two companies entered Salt Lake valley together on the 26th of September. When Governor Young learned of their arrival in the mountains east of Salt Lake City, he took a military escort attended by bands of music and met them at the foot of Little Mountain in Emigration canon and escorted them into the city, where they were cheered and made welcome by the populace that turned out *en masse* to receive them. They encamped on Pioneer Square, but in a few days had found homes among their kindred and

6. The letter bears date of Dec. 30, 1855, *Millennial Star*, vol. xvii, pp. 814-5.

7. *Historians’ Office Journal*, entry for Friday, Sept. 26th, 1856, p. 121.

friends in the community. Bunker's company arrived six days later, 2nd of October, also without serious adventure or loss. They had traveled with Captain John Banks' wagon company of immigrating saints.

Commenting on the successful journey of 1,300 miles made by the two first companies, the *Deseret News* said: "This journey has been performed with less than the average amount of mortality attending ox trains; and all, though somewhat fatigued, stepped out with alacrity to the last, and appeared buoyant and cheerful. They had often traveled 25 and 30 miles in a day, and would have come through in a much shorter time, had they not been obliged to wait upon the slow motion of the oxen attached to the few wagons containing the tents and groceries." Time and distance considered, they had not averaged more than eleven miles a day.

If the curtain could be rung down upon this handcart emigration incident of the year 1856, with the arrival of these three companies in Salt Lake valley, and their dispersion among the people, that method of traveling over the plains might pass without very serious objections, beyond a protest against the hardship of excessive toil involved in it. The successful accomplishment of the journey by these companies demonstrated that such a method of migration was possible rather than feasible. And what remains to be set down involves the whole adventure in a tragedy, making one of the saddest pages in Latter-day Saint history.

THE WILLIE COMPANY THROUGH IOWA

There were two other handcart companies fitted out at Iowa City in that fateful year of 1856, led respectively by James G. Willie and Edward Martin, and numbering in all above nine hundred souls.⁸ Their respective journeys are here but rapidly sketched.

The emigrants who made up Willie's company arrived

8. Elder Franklin D. Richards returning from the European Mission, and passing these companies on the plains, reported their numbers as follows: In Edward Martin's company—which Richards and party overtook about 40 miles

at Iowa City on the 26th of June, and here met their first disappointment—the tents and handcarts, the one to afford them shelter, the other the means of conveying their food and bedding on the journey across the plains, were not, as yet, provided; and in waiting for the manufacture of these necessary things the company was detained until the 15th of July. The journey through Iowa to “Old Winter Quarters,” by this time known under the name of Florence, Nebraska, was accomplished in twenty-six days, since they arrived at Florence on the 11th of August and remained there until the 16th. The chief hardship of this stage of the journey was the midsummer heat, the dust; and when heavy rains converted this to mud, the heavy roads. The part of Iowa through which their route passed was then fairly well settled, and from the people of that state they received varied treatment. Sometimes they were met with good-natured badinage, at other times with threats of personal violence. At one point they were overtaken by a sheriff’s posse with a search warrant issued by a justice of the peace, authorizing the posse to search to the very bottom of the few wagons for young women, alleged to be tied down in them with ropes.⁹ Of course the search revealed no such conditions as were alleged. At Des Moines an act of kindness varied the treatment. A Mr. Charles Good presented Captain Willie with “fifteen pairs of children’s boots.” There were some few desertions from the company in this first stage of the journey, eight in all—who were persuaded to the step by inducements held out by the people of Iowa—“for the leeks and onions”—is Captain Willie’s manner of phrasing it.¹⁰

west of Loupe Fork, on the 7th of September—there were 576 souls; 146 handcarts; 7 wagons; 6 mules and horses; 50 cows and beef cattle; “he had the greater proportion of the feeble emigrants.” In Willie’s company there were 404 souls; 87 handcarts; 6 yoke of oxen; 32 cows and five mules. (F. D. Richards and Daniel Spencer’s Report to President Brigham Young, *Deseret News* of Oct. 22, 1856, the Report is without date).

9. Willie’s Report to his Handcart Company, *History of Brigham Young, Ms.*, entry for November, 1856, p. 972.

10. *Ibid.*

WILLIE'S COMPANY AT FLORENCE—SHALL THE JOURNEY BE
CONTINUED

At Florence the question of continuing the journey through to Utah, or going into winter quarters on the Elkhorn, at Wood river, or some other eligible location in Nebraska, was debated; but it was finally determined to continue the journey, the majority of the leaders in charge, among whom were George D. Grant, Wm. H. Kimball, advance agents of the emigration that season, and Elders Willie—captain of the company of handcart emigrants—Atwood, Savage, Woodward, and John Van Cott, all favored it, except Savage, and the views of the majority of these leaders were accepted by vote at a mass meeting of the emigrants, anxious to get to Zion, ignorant of the difficulties and dangers to be encountered, and willing to trust the judgment of these leaders.¹¹

Levi Savage was returning from a more than two years mission in Siam and Ceylon, where he had most earnestly sought under trying circumstances to present the message of the New Dispensation. His action in the above named discussion deserves special mention. To the overzeal, not to say fanaticism, of his brethren, Elder Savage opposed common sense, and his knowledge of the country, both of which persuaded him that a mixed company of aged people, women, and little children, even though it had some strong men in it, could not cross the mountains so late in the season without much suffering, sickness, and death. He advised going into winter quarters; but when overruled, according to *Chislett's Narrative*, he said: "What I have said I know to be true; but seeing you are to go forward, I will go with you; will help you, all I can; will work with you, will rest with you, will suffer with you, and if necessary, will die with you. May God in mercy bless and preserve us." He lived up

11. *Ibid.* See also Chislett's Narrative, given *in extenso* in Stenhouse's *Rocky Mountain Saints*. Stenhouse features this handcart incident in the history of the Latter-day Saints, and even attempts to sensationalize it, chapter xxxiii. Whitney quotes Chislett in part, *History of Utah*, vol. i, ch. xxvi.

to his promise—"no man," says the narrative, "worked harder than he to alleviate the suffering which he had foreseen, when he had to endure it." But it had been represented to these saints in the handcart companies, and, indeed, to all the saints in Europe, that a special providence would attend this method of migration, and hence they would be apt to discredit any warning that might be given concerning dangers that might overwhelm them. "Know ye not," wrote Elder John Jacques, assistant editor of the *Millennial Star*—"Know ye not that it is the holy ordinance of the Lord revealed through his prophet, Brigham Young, for the redemption of the humble, faithful poor, and that it will be blessed and sanctified of him to the salvation of thousands who are not too proud to be saved in his appointed way, while many who will despise that way will be left to perish in Babylon. The Lord has promised through his servant Brigham Young that the handcart companies shall be blessed with health and strength, and be met part way with teams and provisions from the valley.¹² And I am not afraid to proph-

12. President Young had promised to send teams to meet this emigration, and of that promise it is proper to say that the president was not advised of the coming of the belated handcart companies. Writing to Orson Pratt, who had succeeded Franklin D. Richards in the presidency of the British Mission the president said: "We have just received an express from Captain Willie's company of handcarts; they are supposed to be now about Green river, as the express left them on Sunday morning, the 26th instant, near the South Pass. We have no late tidings from brothers Martin, Hodgetts, Hunt, and William Walker. This [Captain Willie's] company had a pretty severe time in a storm which lasted two days, and then cleared up cold; the relief sent them was timely, but none too soon. We sent, however, just as soon as we learned that they were coming, which was not until brothers Franklin, Spencer and others arrived on the evening of the fourth instant [i. e. October]." Franklin D. Richards, however, in his and Daniel Spencer's Report to President Young, say they met "Patriarch John Smith and two other brethren," on the 24th of September, near Willow Springs; "who had come out with flour for the companies." "On the 27th," continues the report, "fifteen miles from Pacific Springs, we nooned with Brother Wm. Smith, and two other brethren from Farmington, with two wagons and flour for the companies. We counseled them to cache their flour and go on to meet Brother Willie and his company, which they agreed to do. On the 28th, three miles east of Big Sandy, we camped with Brother Talgot, who had flour for the companies. We gave him the same counsel, to go on with his teams to help Brother Willie." (*Deseret News* of Oct. 22nd, 1856). No mention is made of these supplies and teams meeting the handcart companies. These supply teams may have been sent out to meet the independent belated wagon companies that were expected, since no more hand cart companies were expected by the church leaders at Salt Lake; but they seem not to have persevered in reaching these, or to have been a factor in the relief forces at all.

esy, that those who go by the handcarts, and continue faithful and obedient, will be blessed more than they have ever dreamed of."¹³ Religious enthusiasts imbued with these ideas of blessing and favor, would, of course, vote to continue the journey "to Zion."

WESTWARD HO! INCIDENTS BY THE WAY

The Willie company left Florence on the 19th of August, and began the journey across the plains in earnest. The Cheyenne Indians were bad that season, and the emigrants heard of occasional attacks upon emigrant team-trains, among them of the attack upon Almon W. Babbitt's train, and later of the killing of Mr. Babbitt himself. From the Omaha Indians the handcart company received some kindness, and were able to buy some buffalo meat of them. By the 5th of September the company had made 265 miles west of Florence, but at this point they had the misfortune to lose thirty head of cattle, which they spent two days in searching for, but they were not found; and the journey was resumed with their few teams very much weakened. On the 12th of September they were overtaken by a company of returning missionaries in three carriages and some wagons. The company included Elder F. D. Richards, Daniel Spencer, and C. H. Wheelock, late presidency of the European Mission.

On the 17th of September, while yet on the Platte they had their first frost, "a very severe one." On the 30th they arrived at Fort Laramie—still five hundred miles from Salt Lake City.

On the 1st of October the journey was resumed. Occasionally they met eastward bound parties, among these were Parley P. Pratt and a company of missionaries, bound for the eastern states. That was to be this eminent apostle's last mission, since he fell a victim to assassination in Arkansas about seven months later.

13. *Millennial Star*, vol. xviii, p. 370.

ON RATIONS

At the very start the handcart company had been put upon rations, one pound of flour per day per man, a little less for women, and still less, of course, for children was allowed; and these scant rations from time to time had to be reduced until they were barely sufficient for subsistence. The last reduction left them at 10½ oz. for men; 9 oz. for women; 6 oz. for children, and 3 oz. for infants.¹⁴

On the Sweetwater river they encountered extremely cold weather and severe snow storms; but while disheartened by this circumstance they were cheered by the coming to them of two messengers from the west, driving a light wagon, and bringing the news that a supply train was on its way to meet them, and they could expect to meet it in a day or two; and then the young men drove on to take the same cheering word to Martin's company, and to the wagon trains still further eastward.¹⁵

THE FIERCE STORMS OF THE SWEETWATER—DEATHS

After the departure of these welcome messengers, however, the snow storms, accompanied by fierce winds, were renewed, until from sheer exhaustion the company sought such shelter in hollows and willow thickets as could be found and awaited the coming of the relief trains. Dysentery broke out in the camp, aggravated by eating the fresh meat that

14. Willie's Narrative, *History of Brigham Young, Ms.*, entry for November, 1856, p. 979.

15. The two young men were Joseph A. Young and Stephen Taylor; the former a son of President Brigham Young's and one of the returning missionaries of that year, who had passed these handcart companies earlier in the season. Immediately on the arrival of this missionary company in Salt Lake City, conditions were reported to President Young who instantly took steps to send out supply trains to relieve these companies, of which the two young men, above referred to, were the advanced couriers. "More welcome messengers never came from the courts of glory," says *Chislett's Narrative*, "than these two young men were to us." After delivering their message and giving Willie's company such encouragement as they could, they passed on eastward with the same glad news to Martin's and to the wagon companies. The former with one of the wagon companies (Hodgett's) they found at Red Buttes, on the Platte; and ten miles further east the other wagon company (Hunt's), all were in need of the encouragement their message gave. (See Report of Joseph A. Young, *Deseret News* of Nov. 19th, 1856).

was obtained from killing a few of the broken down oxen. Deaths had been frequent the past few days from exhaustion and cold. Fifteen died in one of the terrible days immediately preceding the encampment above referred to, which was made at Willow Creek on the Sweetwater, and many were frost-bitten. The storm that was proving so fatal to the handcart company had also overtaken the relief train, and hindered its progress. Not knowing the absolute destitution of the emigrants, and that they were perishing only a few miles distant, the relief train had gone into encampment, awaiting the arrival of the handcart company or the passing of the storm. Meantime Captain Willie with a single companion, started westward in search of the relief train. He found it; whereupon all possible haste was made to reach the sufferers. It was the evening of the third day after his departure that Captain Willie returned at the head of fourteen well loaded wagons. Their arrival came none too soon, if the camp was to be saved from utter destruction: for the ravages of hunger, dysentery, and exhaustion were threatening the extinction of the helpless emigrants.

CHISLETT'S PICTURE OF REJOICING—RELIEF

Chislett's account of the meeting of the handcart company and the relief train deserves perpetuation:

"On the evening of the third day after Captain Willie's departure, just as the sun was sinking beautifully behind the distant hills, on an eminence, immediately west of our camp, several covered wagons, each drawn by four horses, were seen coming towards us. The news ran through the camp like wildfire, and all who were able to leave their beds turned out *en masse* to see them. A few minutes brought them sufficiently near to reveal our faithful captain slightly in advance of the train. Shouts of joy rent the air; strong men wept until tears ran freely down their furrowed and sunburnt cheeks, and little children partook of the joy which some of them hardly understood, and fairly danced around with gladness. Restraint was set aside in the general rejoicing, and as the brethren entered our camp the sisters fell upon them and deluged them with kisses. The brethren were so overcome that they could not for some time utter a word, but in choking silence repressed all demonstration of those emotions that

evidently mastered them. Soon, however, feeling was somewhat abated, and such a shaking of hands, such words of welcome, and such invocation of God's blessing have seldom been witnessed! * * Among the brethren who came to our succor were Elders W. H. Kimball and Geo. D. Grant. They had remained but a few days in the valley before starting back to meet us. May God ever bless them for their generous, unselfish kindness, and their manly fortitude! They felt that they had, in a great measure, contributed to our sad position; but how nobly, how faithfully, how bravely they worked to bring us safely to the valley—to the Zion of our hopes!"

Mr. Chislett had left the church when he wrote that passage!

Eight of the relief wagons passed on to the camps still further eastward, and six remained with Captain Willie's company.

Fortunately, after reaching the South Pass, and descending into the Green river valley, the weather moderated, more supply wagons were met, some passing on to take the needed relief to the companies still in the rear, and others turning back with Willie's company to give such increased aid and comfort as was still required; and so abundant was the help in the last stages of the journey that most of the toil-exhausted, hunger-weakened emigrants could be taken into the wagons.

This company arrived in Salt Lake City on the 9th of November, and soon received every evidence that they had come among warm-hearted friends. "On our arrival," says *Willie's Narrative*, "the bishops of the different wards took every person who was not provided with a home to comfortable quarters. Some had their hands and feet badly frozen but everything which could be done to alleviate their suffering was done, and no want was left unadministered to. Hundreds of the citizens flocked around the wagons on our way through the city, cordially welcoming their brethren and sisters to their mountain home. * * * The total number of deaths in this party from Liverpool, was seventy-seven, * *

* we had also three births and three marriages on the trip.”¹⁶
Nearly all the deaths in the camp occurred after leaving Fort Laramie.

JOURNEY AND SUFFERING OF EDWARD MARTIN'S HANDCART COMPANY

Edward Martin's handcart company, known as the fifth of the handcart companies, and the last of this fateful year, duplicated the experiences of Willie's company, but was attended with even more disastrous results since it was a larger company, and had a larger proportion of women and children and of the aged and feeble, and also had a later start and was detained longer by the mountain storms.

The emigrants that made up Martin's company and the two independent wagon companies of that season, under John A. Hunt and Benjamin Hodgetts, respectively, arrived at Iowa City in the early part of July, but were detained—waiting for their tents and handcarts to be made—until nearly the last of the month. One of the chief contributing causes to the handcart disaster was the frailness of these carts, and the unfitness of the material put into them. They were hurriedly made of unseasoned timber, and so much was sacrificed to lightness that the necessary strength and durability was impossible. The result was that in Martin's company, as also in the companies that preceded it, the breaking down of handcarts—which began a few days after the start was made—and the necessary halting to repair them contributed much to the delay of the journey.

FAULTY STRUCTURE OF THE HANDCARTS

Both Chislett's and Jacques' account agree in this. John Jacques, author of the great Latter-day Saint hymn, "O, Say What is Truth," was a member of Martin's company, and wrote a series of letters to the *Salt Lake Herald* in 1878 and

16. Willie's Narrative, *History of Brigham Young, Ms.*, entry for November, 1856, pp. 966 to 983.

1879, describing somewhat in detail the events of the journey. The letters are seven in number, beginning in the Sunday impression of December the 1st, 1878, and appearing in each Sunday impression until Jan. 19, 1879. Elder Jacques had been a very earnest advocate of this handcart method of traveling over the plains, and had sharply reproved some who doubted the feasibility of the plan.¹⁷ "Many of the carts had wooden axles and leather boxes," he writes in his description of them. "Some of the axles broke in a few days, and mechanics were busy in camp at night repairing the accidents of the day." Chislett's account of the carts is that they had to be made at Iowa City while the emigrants were waiting for them. "They were made in a hurry, some of them of very insufficiently seasoned timber, and strength was sacrificed to weight, until the production was a fragile structure, with nothing to recommend it but lightness. They were generally made of two parallel hickory or oak sticks, about five feet long, and two by one and a half inches thick. These were connected by one cross-piece at one end to serve as a handle, and three or four similar pieces nearly a foot apart, commencing at the other end, to serve as the bed of the cart, under the center of which was fastened a wooden axletree, without iron skeins." The wheels were devoid of iron, except that in some of them there was a very light iron tire. The whole weight of a cart was about sixty pounds.

It doubtless will aid in appreciation of the difficulties and even the dangers of the handcart expedition westward if the matter of roughness of mountain roads and altitudes be considered. These are discussed by Jacques as follows: "To give a better idea of the nature of the latter one-half of the journey, I may say that the altitude of Salt Lake is about 4,200; * * * and that of Fort Laramie 100 feet lower. It may also be recollected that the whole of the winter part of this journey was performed at a much greater altitude,

17. See a communication of his to the *Millennial Star*, of which he was then the assistant editor, (vol. xviii, No. 24).

beginning at about 5,000 feet at North Platte camp, where the relief express found the company [i. e. Martin's], and never sinking so low again until in Emigration canon near this (Salt Lake) city; but rising at Devil's Gate it was 6,000 feet; near the three crossings of Sweetwater to 7,000 feet; by the South Pass a little higher. From Green river to Bridger about 6,700 feet; on Bear river to about 6,800 feet; in Echo canon, about 6,000; on the Big Mountain, about 7,245, with different ridges and summits which were passed over varying from over 7,000 to nearly 8,000 feet."¹⁸

The start from Iowa City did not begin until the 28th of July. At first there were two companies organized; one under Martin, the other under the leadership of Jesse Haven, returning missionary elder from South Africa. The two companies numbered nearly six hundred souls. The arrangement to travel in two companies continued until the companies arrived at Florence, Nebraska, which was on the 22nd of August. Here, as in the case of Willie's company,—which was but four days departed—the question of venturing upon the journey so late in the season was debated. "Unfortunately," remarks Jacques, "It was determined to finish the journey the same season."

AT FLORENCE—ADJUSTMENTS

Matters were somewhat readjusted at Florence. The two companies were united into one; Edward Martin was continued as captain assisted by Daniel Tyler. Both of them had made the journey with the Mormon Battalion from the Missouri river to the Pacific coast; both of them at first corporals, and afterwards as 2nd and 3rd sergeants, respectively, in Company "C."¹⁹

The start was made from Florence on the 25th of August. It was the 8th of October when they reached Fort

18. *Salt Lake Herald*, Jan. 5, 1879.

19. Tyler afterwards became the chief historian of the battalion, his work being published in 1881.

Laramie. Here they remained one day and some were able to exchange and sell watches and other personal effects they could spare for food which they were allowed to purchase from the military stores, at reasonable prices.²⁰ Soon after leaving Laramie, however, it was found necessary to reduce the daily ration. "The pound of flour was reduced to three-fourths of a pound, then to half, and subsequently yet lower. On the 19th at Red Buttes they met the first severe snow-storm, accompanied by a piercing north wind; that day they had forded the Platte. Two days before, in order to lighten the loads on the carts they had sacrificed much bedding, the need of which they now sorely felt.

On the 28th Joseph A. Young and two companions, with the news of coming supply trains, met them, an event which brought forth "the cheers and tears and smiles and laughter of the emigrants." Two days later they met the promised supplies on the Sweetwater near Devil's Gate. This assured relief, but much of suffering had yet to be endured. From a foot to a foot and a half of snow was on the ground and the cold was intense. The question was discussed as to whether the company should go into such winter quarters as could be provided or push on to Salt Lake. The latter course was determined upon. The freight that could not be taken along was left at this point with three men from the valley, and seventeen from among the emigrants to guard it. Only a small allowance of food could be left them, and because of this the men suffered terribly, and nearly perished of hunger by the time spring opened and relief arrived from Salt Lake valley.

Shortly after leaving Devil's Gate enough wagons were met to carry most of the baggage of Martin's company and some of the people, but the crossing and recrossing of the Sweetwater was a trying ordeal. There were so many who were helpless, or nearly so, that it was difficult to decide

20. "Biscuit at 15½ cents, bacon at 15 cents, rice at 17 cents per pound," (Jacques).

who should be taken into the wagons and who should be compelled to walk. "There was considerable crying of women and children," remarks Elder Jacques, "and perhaps of a few of the men, whom the wagons could not accommodate with a ride." "One of the relief party remarked," continues our authority, "that in all the mobbings and drivings of the 'Mormons' he had seen nothing like it." C. H. Wheelock (who, it will be remembered, was one of the presidency of the British Mission when this enterprise was undertaken, and who was now returned with the relief party to assist these emigrants, also one of the last who was with the Prophet Joseph at Carthage Prison) could scarcely refrain from shedding tears, and he declared that he would willingly give his own life if that would save the lives of the emigrants.

EPHRAIM K. HANKS—HERO

The men with one group of relief wagons, not yet met by the emigrants, concluded from their long delay in appearing that the rear companies of the emigration had perished in the snow, and were for turning back to Salt Lake;²¹ but Ephraim K. Hanks, commonly known as "Eph Hanks," who was connected with the mail carrying service, was determined to ascertain the fate of the emigrants, and accordingly mounted one team horse, and leading another, rode on alone. He met the emigrants while yet on the Sweetwater. He had killed a buffalo—two of them, in fact—and cutting the meat into strips, packed it on the horse he was leading; and this with other buffalo he had killed after joining the company, materially added to the meat supply.²²

21. These were Daniel W. Jones, Thomas M. Alexander and Ben Hampton, (Jacques).

22. For Hanks' Narrative see *The Contributor*, vol. xiv, pp. 202-205, cf. Jacques' account of the incident. Exteriorly Hanks was a rough mountaineer, but at heart a gentle and sympathetic nature, and a man of great faith in God withal; and many are the traditions of the effectiveness of his administrations among the sick, and especially among the exhausted and frost-bitten emigrants of these handcart companies. Captain Burton of the English army, who visited Utah in 1860, met him and has left a pen picture of him that is worthy of repro-

By the time South Pass was reached enough relief teams had arrived to allow of some passing on to help the wagon trains still further back, and at the same time admit of all the emigrants riding in the wagons. The journey now was more rapid. By the 21st of November Green river was reached. On the 28th the company camped on the Weber. Meantime other parties had been at work keeping the road open over the mountain passes east of Salt Lake City. By this time the relief wagons numbered one hundred and four, and the emigrants were welcomed by throngs of people into Salt Lake City, where they arrived on Sunday, the 30th of November.²³

Every relief that shelter, and food, and clothing, and kindness, and devoted attention could bring to these belated emigrants was accorded them. The usual Sunday morning services were in progress at the "Old Tabernacle" when President Young learned of the approach of Martin's company to the city. In dismissing the congregation that the people might meet the emigrants and care for them, he said:

"When those persons arrive I do not want to see them put into houses by themselves. I want to have them distributed in this city among the families that have good, comfortable houses; and I wish the sisters now before me, and all who know how and can, to nurse and wait upon the newcomers, and prudently administer medicine and food to them. * * * The afternoon meeting will be omitted, for I wish the sisters to go home and prepare to give those who have just

duction. Hanks had been represented to the English captain as a noted "Mormon" desperado, this was his preconception of him, but this is his description: "The 'vile villain,' as he has been called by anti-Mormon writers, * * * was a middle-sized, light-haired, good-looking man, with regular features, a pleasant and humorous countenance, and the manly manner of his early sailor life, touched with the rough cordiality of the mountaineer. 'Frank as a bear-hunter' is a proverb in these lands. He had * * * like most men (Anglo-Americans) of desperate courage and fiery, excitable temper, a clear, pale blue eye, verging upon gray, and looking as if it wanted nothing better than to light up, together with a cool and quiet glance that seemed to shun neither friend nor foe." (*The City of the Saints*, pp. 191-2).

23. It must not be supposed, however, that it was a joyful meeting. It was too solemn for that. Jacques' description is true to the nature of the circumstances, and pathetic: "The meeting of the emigrants with relatives, acquaintances, and friends was not very joyous. Indeed, it was very solemn and oppressive. Some were so affected that they could scarcely speak, but would look at each other until the sympathetic tears would force their unforbidden way." (*Salt Lake Herald* of Dec. 22nd, 1878).

arrived a mouthful of something to eat, and to wash them, and nurse them up. * * * Prayer is good, but when (as on this occasion) baked potatoes, and pudding, and milk are needed, prayer will not supply their place. Give every duty its proper time and place. * * * I want you to understand that I desire this people to nurse them up; we want you to receive them as your own children, and to have the same feelings for them. * * * Now that the most of them are here, we will continue our labors of love until they are able to take care of themselves, and we will receive the blessing. You need not be distrustful about that, for the Lord will bless this people."

It was in this spirit that the emigrants were received and waited upon by the people, President Young and his family doing their full share. During his remarks above referred to President Young had said:

"I have sent word to Bishop Hunter that I will take in all that others will not take. * * * I am willing to take my proportion."²⁴

The exact number of those who perished in this company is not of record in our official annals; and it is difficult to fix upon any approximate number with certainty. Joseph A. Young coming in from the farthestmost companies reported at a meeting in Salt Lake City, on Sunday, the 16th of November, that on meeting Martin's company at Red Buttes on the Platte, 56 deaths were reported up to that time;²⁵ that, however, was on the 28th of October, and there was yet before the company more than a month of exposure, and toil, and suffering, in the midst of fierce mountain storms. Chislett declares of this company that of the six hundred at starting they "lost over one-fourth of their number by death." "The storm which overtook us while making the sixteen mile drive on the Sweetwater," he writes, "reached them at North Platte. There they settled down to await help or die, being unable to go any farther. Their camp ground became a veritable graveyard before they left." One-fourth of 600, would be 150. Jacques says that exaggerated ideas have been entertained with reference to the number of deaths. His

24. *History of Brigham Young, Ms.*, entry for November 30th, 1856, pp. 1099-1103.

25. See Report of Young's remarks in *Deseret News* of Nov. 19, 1856.

own estimate is that about one in six of the "entire number that left Liverpool in the ship *Horizon*" died. As that number is listed at 856, Jacques' estimate of those who perished would be 142, or about the same as given by Chislett. Jacques also says that others "who claim to know" put the number of deaths in Martin's company "at about 100; or about one-eighth of the entire number that left Liverpool in the ship *Horizon*."²⁶ All things considered the estimate of Chislett and Jacques,—putting their estimate at 145—is perhaps not far from the facts. And these added to Willie's seventy-seven deaths, brings the total of deaths to 222. The number who were frost-bitten was also large, and some were crippled for life.²⁷

The wagon companies were also helped in the last stages of the journey. The people of Fort Supply, near Bridger, led by Isaac Bullock, as well as relief teams sent from Salt Lake City rendering them valuable assistance by providing them with fresh teams and supplies of food. All belated emigrants were reported as safely arrived in Salt Lake valley shortly after the middle of December.

The one redeeming feature of this unfortunate incident in Latter-day Saint history was the heroic efforts of the people in Salt Lake valley to save these unfortunate companies of emigrants. Especially is this true of the people in Salt Lake City and county; of Davis county; and latterly of Tooele county. These, because of their accessibility, bore chiefly the burden of the relief work; and there are men whose names deserve a permanent place in history for the activity and heroism then displayed in seeking to save from

26. Jacques in *Salt Lake Herald*, Dec. 22nd, 1878.

27. That the numbers that perished and that were crippled by reason of being frozen in these handcart companies were greatly exaggerated by the press at the time, may be seen in the following—quoted by Bancroft in his *History of Utah*, (p. 428, note 63), from the *Oregon Statesman* of June 15, 1857: "Of the 2,500 persons who started from the frontier, only about 200 frost-bitten, starving, and emaciated beings lived to tell the tale of their sufferings. The remaining 2,300 perished on the way, of hunger, cold, and fatigue!"

misery and death large numbers of their fellow men. Among these are—

Joseph A. Young,	Thomas Alexander,
Wm. H. Kimball,	Ben Hampton,
George D. Grant,	Robert T. Burton,
Cyrus H. Wheelock,	Charles Decker,
Ephraim K. Hanks,	G. G. Webb,
Stephen Taylor,	Hosea Stout,
Able Garr,	James Ferguson,
Daniel W. Jones,	Isaac Bullock,
Joseph Simmons	

Others were, of course, equally worthy to be remembered; their risks and services were equally as great as these whose names are here set down; but it happens with nearly all expeditions and enterprises of men that the few only can be specifically remembered in the annals of events. It is reserved to the "Lamb's Book of Life" to perfectly record the names of all who render service to humanity, and these, here unnamed, rank and file of the relief parties, who in that trying and adventurous enterprise of rescuing the storm-bound and starving handcart companies of 1856, can be confident of being registered, and on the page with their names, these words will be written:

*"Come ye blessed of my Father, inherit the kingdom prepared for you from the foundation of the world; for I was hungered, and ye gave me meat; I was thirsty, and ye gave me drink; I was a stranger, and ye took me in; naked, and ye clothed me; I was sick and ye visited me. * * * Verily I say unto you, inasmuch as ye have done it unto one of the least of these, my brethren, ye have done it unto me."*²⁸

Of this service, remembrance of which I would perpetuate, President Young said:

"This is what I can say truly, with the rest of your counselors and directors, that no man or woman, that we have any knowledge of in the church, has refused to do as requested with regard to this im-

migration; they have run by day and night. Our messengers have been traveling from here to the Platte, and back and forth between Bridger, Green river, and the Sweetwater; and scores of men have been riding by day and night, without having enjoyed an undisturbed night's rest, during the last two months, only occasionally snatching a little when sitting by the camp fire. They have been riding by day and night, hurrying to and fro and laboring with their might, and have not refused to do what we have required of them. This is to their praise. Works have been most noble when they were needed. We put works to our faith, and in this case we realize that our faith alone would have been perfectly dead and useless; would have been of no avail, in saving our brethren that were in the snow; but by putting works with faith we have been already blessed in rescuing many, and bringing them to where we can now do them more good."²⁹

Nor is this appreciation to be confined to those who braved the storms to carry the relief to the place where it was needed; but it is to be extended also to those who supplied the teams and the food, who by prudent counsels and prompt action conceived the relief plans and prepared the outfits for starting, and who by the consecration and sacrifice of their means made possible the rescue of their brethren from what would otherwise have been inevitable and miserable destruction.

Of course, among the foremost of these were Brigham Young and others of the general authorities of the church then in Utah. O. F. Whitney in his *History of Utah* writes:

"Many besides those who went to the rescue of these companies would gladly have gone had it been their privilege. None were more anxious in this respect, for none felt more keenly for the sufferings of the unfortunate emigrants, than President Franklin D. Richards, under whose administration in the British Isles the handcart project had been inaugurated. He had arrived home only three days before the relief parties set out. He desired to accompany them and made all preparations to that end, but was called to assist President Jedediah M. Grant and other elders who were just then arduously engaged in carrying on what is known in 'Mormon' history as 'The Reformation.' Had it not been for this, Apostle Richards would have returned to meet the handcarts, and it is not saying too much, to those who know the man and his great sorrow at the disaster which befell his brethren and sisters

29. *History of Brigham Young, Ms.*, from a speech in the "Old Tabernacle," Nov. 30, 1856, pp. 1103-4.

on the plains, that could his own life have averted the terrible calamity which overtook them, it would willingly have been given."³⁰

Near the close of his circumstantial account of the suffering endured by Martin's handcart company, John Jacques very briefly and temperately discusses the question of "blame" for the disasters that overtook it; and the matter is put so fairly that I quote it here at length: "The question may be asked, whom do I blame for the misadventure herein related. I blame nobody. I am not anxious to blame anybody. I am not writing for the purpose of blaming anybody, but to fill up a blank page of history with matters of much interest. I may say that notwithstanding the serious misfortune of this company, I have no doubt but that those who had to do with the management meant well and tried to do the best they could under the circumstances."³¹

THE MISSIONARY EAST-BOUND HANDCART COMPANY

Doubtless to show the saints in Europe that the brethren in Utah did not shrink from the toilsome method of travel that had been suggested to them, a company of missionary elders numbering 74 men, with 25 handcarts, left Salt Lake City on the 23rd of April, 1857, for the Missouri frontiers, *en route* for various parts of Europe and the states to preach the gospel.

Following is the description of the departure of this handcart company of missionaries from temple square, published at the time:

"All things being ready, at a quarter before 10 a. m., the company started off in regular order, with as much apparent cheerfulness and unconcern as though they were going to return in the evening, whereas many of them will be gone for years, and all will probably have to pass through trials, and endure hardships, of which the pulling of their carts across the plains will be among the least.

The company consisted of 74 men, with some twenty-five handcarts, and was made up of individuals of nearly every imaginable oc-

30. Whitney's *History of Utah*, vol. i, pp. 504-5.

31. Jacques in the *Salt Lake Herald*, January 19, 1878.

cupation and pursuit of life: farmers, mechanics, tradesmen, merchants, and clerks—some Americans, some English, Scotch, Irish, Welsh, Danes, Swedes, Norwegians, Germans, and of other nations, were to be seen in the company, which made it an unusually interesting sight. To see such a variety of men, some of them young, some in the prime, and some past the meridian of life, leave their vocations at a moment's notice, and go forth in that way to proclaim the gospel of salvation to the nations that have long been wandering in the darkness, bespeaks a devotion to the principles of eternal truth not often seen."³²

Instead of increasing in difficulties of road and dangers of approaching winter, however, as in the case of the west-bound handcart companies, it grew daily easier, and less dangerous as they approached the Missouri river. The company was made up moreover by men alone, and the presence of aged people and children did not enter into their problems; and their journey was down hill from the base of the Rocky Mountains to the Missouri river, and attended by a constantly expanding summer, instead of threatening and actual fierce storms of winter. It was, however, the best expression, perhaps, that could be given that the elders who went among the people to preach the gospel were willing to endure the same toilsome method of travel as had been suggested to the saints in Europe, and such an expression, on the part of those who gave it, was worthy of all acceptance and praise.

Two small companies of handcart emigrants crossed the plains in 1857, led respectively by Israel Evans and Christian Christiansen. They arrived in Salt Lake City on the 12th and 13th of September. In 1858, Latter-day Saint emigration both from Europe and the states was nearly suspended, and there were no handcart companies that year. In 1859 there was one company, led by George Rowley, numbering 235 souls, with 60 handcarts, and six wagons. In 1860 there were two handcart companies. The first was led by Daniel Robinson, numbering 233 souls; 43 handcarts; 6 wagons. This company arrived in Salt Lake City on the 27th of August, and President Young took the pre-

32. *Deseret News* of April 29, 1857.

caution to send out teams to meet it with 2,500 lbs. of flour and 500 lbs. of bacon. The second company of handcart emigrants that year was led by Oscar O. Stoddard, and numbered 126 souls, 22 handcarts.

This was the last company to come by that method of travel.

CHAPTER XCIX

MISCELLANEOUS EVENTS, 1851-7 (CONCLUDED)—THE FAMINE OF 1855-6—ESTABLISHMENT OF "FAST DAY" FOR THE CHURCH—DEATH OF NOTABLE MEN—"REFORMATION"—"BLOOD ATONEMENT"

AMONG other calamitous events of the period 1851-7, to which the two preceding chapters and part of this one will be devoted, was "the famine" of 1855-6. This was occasioned by a prolonged drought and a plague of grasshoppers during the summer of 1855, from which dual cause the crop that year was well-nigh a total failure.

DROUGHT AND GRASSHOPPERS—A DUAL PLAGUE

"All the farms south of this city," writes Brigham Young, in 1855, "are nearly a desert, the northern counties and Tooele have fared considerably better, but within the last few days the latter have had a visit from the enemy, and the result is that wheat stalks have lost their heads; and, moreover, as the farms have been located on small streams, a large quantity of wheat has been burnt up for want of water. This is rather a dark picture, but I regret to say *it is not overdrawn*. Myriads of grasshoppers, like snowflakes in a storm, occasionally fill the air over the city, as far as the eye can reach, and they are liable to alight wherever they can distinguish good feed. A great portion of them, however, alight in the Great Salt Lake, which appears green at a distance, and the shore is lined with their dead, from one inch to two feet thick, and which smell exactly like fish. Wherever there is a chance for water the brethren are still planting corn."¹

The grasshoppers were a recurring plague to the valleys of Utah for several, though, fortunately, not always, consecutive years; and not always in equally destructive numbers. Captain Burton quotes a description of the grasshoppers, and

1. *History of Brigham Young, Ms.*, 1855, p. 71.

of their flights in swarms, by a Lieutenant Warren, as follows: "According to Lieutenant Warren, whose graphic description is here borrowed, these insects are 'nearly the same as the locusts of Egypt;' and no one who has not traveled on the prairie, and seen for himself, can appreciate the magnitude of the swarms. Often they fill the air for many miles of extent, so that an inexperienced eye can scarcely distinguish their appearance from that of a shower of rain or the smoke of prairie fire. The height of their flight may be somewhat appreciated, as Mr. E. James saw them above his head, as far as their size would render them visible, while standing on the top of a peak of the Rocky Mountains, 8,500 feet above the plain, and an elevation of 14,500 above that of the sea, in the region where the snow lies all the year. To a person standing in one of these swarms as they pass over and around him, the air becomes sensibly darkened, and the sound produced by their wings resembles that of the passage of a train of cars on a railroad when standing two or three hundred yards from the track. The Mormon settlements have suffered more from the ravages of these insects than probably all other causes combined."²

In addition to the loss of the other crops by drought and grasshoppers, great numbers of cattle died on the ranges from the severity of the winter of 1855-6, which also materially lessened the quantity of food. And while the quantity of food was lessened from these three causes combined, the immigration of the saints was unusually large, and during the same period "great numbers of gold hunters *en route* for California," says George A. Smith, church historian, "came into the valley destitute of food, who were fed and aided on their way from our scant supplies."

THE CHARITABLE DEVICE OF "THE FAST DAY"

"In all these times of scarcity," he continues, "measures were taken to supply those who were unable to furnish them-

2. Burton's *City of the Saints*, pp. 69-70.

selves. A fast day was proclaimed for the church on the first Thursday of each month, and the food saved in that way distributed among the poor;³ and thousands of persons, who had an abundance of bread put their families on rations,⁴ in order to save the same for those who could not otherwise obtain it. And so wise and liberal were the regulations during these periods of scarcity, incident upon settling the territory, that no one perished or even suffered materially for the want of food, and all were remarkably healthy.”⁵

Those were days in Utah when money was of little value in buying flour. “Money will not buy flour or meal, only at a few places, and but very little at that,” wrote Heber C. Kimball to his son William, in England. “I can assure you,” he continues, “that I am harassed constantly; I sell none for money, but let it go where people are truly destitute. Dollars and cents do not count now, in these times, for they are the tightest that I have ever seen in the territory of Utah.”⁶

But notwithstanding these hard times the presidency could report on returning from a visit to the settlements that

3. The practice then begun has continued, and become a permanent institution in the church, only the fast day has been changed from the first Thursday in the month to the first Sunday of the month. For the excellence and possibilities of this charity, see *Note* end of chapter.

4. This was reinstating the system adopted in the earlier years of the colony's experience. For the first three years in Utah “every head of a family,” says Geo. A. Smith, “issued his breadstuff in daily rations, varying from one-quarter to one pound per soul, according to the amount of provisions he had on hand; most of the time the rations were from one-half to three-fourths of a pound, sometimes accompanied with vegetables and milk; but if without these, the bread was not increased; for it was necessary that it should be made to last until harvest. This order of things continued until the population increased to 12,000, when, in 1850, an abundant harvest put an end to the necessity of rationing.” (*Answers to Questions*, p. 18). The families of the church authorities as well as other families were rationed. “I have been under the necessity,” wrote Heber C. Kimball to his son William, then on a mission in England, “of rationing my family, and also yours, to two-thirds of a pound of breadstuff per day each; as the last week is up today, we shall commence on half-a-pound each. This I am under the necessity of doing. Brother Brigham told me today that he had put his family on a half-a-pound each, for there is scarcely any grain in the country, and there are thousands that have none at all scarcely. We do this for the purpose of feeding hundreds that have none.” (Letter to William Kimball, date of Feb. 29th, 1856, *History of Brigham Young, Ms.*, entry for Feb., 1856, p. 154, *et seq.* The letter will also be found in *Millennial Star*, vol. xviii, p. 395).

5. *Ibid.*

6. *Millennial Star*, vol. xviii, p. 395.

a general spirit of contentment and a desire to do right extensively prevailed; and although they found the people, continues the report, "with their crops almost entirely destroyed by the ravages of grasshoppers, rendering their hard exertions and the labors of their hands fruitless, still we heard not a murmur, nor repining, nor complaining, but rather a firm and determined reliance upon the Lord of hosts and their continued exertions for sustenance."⁷

I have been particular to mention this "famine" in detail, for by doing so it will throw light upon some incidents of importance in the history of the Latter-day Saints, in this period. For instance, the sacrifices and increased burdens by reason of the heavy immigration of 1856, and the work of rescuing the handcart emigration of that year will appear all the more heroic and praiseworthy on the part of the Latter-day Saint community in Utah, if it is remembered that these burdens and this rescue work was done by a people whose resources were reduced by a previous year of famine. It will also account for the necessarily careful and limited, though willing and efficient, help given to California emigrant companies.

This "famine" of '55-56, revealed the precariousness of these Great Basin settlements, which eight years after the advent of the Pioneers into Salt Lake valley could still be subject to such reverses as had now come to them in the matter of food supplies. Such possibilities together with their isolation and distance from other sources of supplies, taught them caution with reference to selling grain to passing emigrant companies; and that caution accounts for some complaints made against them in these and immediately succeeding years, by California-bound emigrant companies. No charge can truthfully be made that the Utah colonists refused needed help to emigrant companies passing through their settlements; but the instinct of self-preservation, and the Christian duty

7. Thirteenth General Epistle of the Presidency, dated at Salt Lake City Oct. 29, 1855, *Millennial Star*, vol. xviii, p. 49, *et seq.*

of providing for their own,⁸ both prompted caution in disposing of grain supplies beyond what was absolutely needed by the emigrant strangers passing through their settlements; and led them sometimes to refuse absolutely to sell grain to be fed to teams.

THE POLICY OF STORING GRAIN AGAINST A TIME OF NEED

It was during these years, when crops were so uncertain, and other sources of food supplies so distant and transportation so slow, to say nothing of the unsympathetic and even hostile attitude of their fellow citizens, both east and west, leading to an indifference to the suffering of the Latter-day Saints in Utah, and who could—as we have already seen—coldly speculate upon the famine of 1855-6, settling the Utah question by the probable extermination of the “Mormons”—it was during these years, I say, that the wise policy was inaugurated of storing up grain each year “against a day of famine”—a policy which though now sometime since abandoned by individuals, is still followed in many quarters by a woman’s auxiliary organization of the church, known as the “Relief Society.”

The Female Relief Society was the first auxiliary organization in the church founded by Joseph Smith on the 17th of March, 1842. As implied by its name, and as declared by the Prophet soon after its organization was effected, the purpose of the society is “the relief of the poor, the destitute, the widow and the orphan, and for the exercise of all benevolent purposes. * * * They [members of the society] will fly to the relief of the stranger; they will pour in the wine and oil to the wounded heart of the distressed; they will dry up the tears of the orphan and make the widow’s heart to rejoice.”⁹

But in addition to visiting the widows and fatherless,

8. “If any provide not for his own, and especially for those of his own house, he hath denied the faith, and is worse than an infidel.” (*1 Tim.* 5:8).

9. *History of the Church*, Period I, vol. iv, pp. 552-3.

the sick and the poor, the society was also organized for the self-culture of its members, for their intellectual, moral, and spiritual development; and has the distinction of being the first organization of women in the world for the achievement of these two purposes: the office of charity ministrations, and the self-culture of its members. "*I now turn the key in your [woman's] behalf in the name of the Lord,*" said the Prophet of the New Dispensation, Joseph Smith. This at a meeting of the society held on the 28th of April, 1842, "And this society shall rejoice, and knowledge and intelligence shall flow down [upon woman] from this time henceforth."¹⁰

Mrs. Emma Smith (the Prophet's wife) was made the first president of the society; with Mrs. Elizabeth Ann Whitney and Sarah M. Cleveland as counselors. Miss Elvira Cole was made treasurer, and Miss Eliza R. Snow, secretary. The work of this society in caring for the poor, in nursing the sick, in keeping a storage of grain in many of the communities of the Latter-day Saints to provide against famine or other food supply emergencies, is among the most commendable things achieved by the church.

Every completely organized ward and branch of the church has its own Relief Society; each stake of Zion has its stake Relief Society, organization with a stake presidency and general board; while the general church presidency and board has a supervisory and directing control of the work in all the world.

The society now is affiliated with all the principal woman's national societies of the world, and sends delegates and representatives to the great councils of women both in America and Europe—and is therefore a national and international organization.

10. *Ibid*, pp. 602-607.

DEATH'S EARLY HARVEST IN UTAH—NEWEL K. WHITNEY, SECOND
PRESIDING BISHOP OF THE CHURCH

During the period being considered (1851-7) death's harvest was heavy among the men prominent in the work from and near the beginning of it. Among these was the presiding bishop of the church, Newel K. Whitney, who died on the 23rd of September, 1850, in the 56th year of his life. He had been a staunch, personal friend of Joseph Smith from the time of their first meeting at Kirtland in February, 1831, to the close of the Prophet's eventful career. He had continued steadfast and faithful through the succeeding years that witnessed the exodus from Nauvoo, the migration through the wilderness, and settlement of the saints in Utah's valleys. In losing him, as stated by the *Deseret News* when announcing his death, "the church suffered the loss of a wise and able counselor—of a thorough, straightforward business man. * * * He has long held the office of presiding bishop of the Church of Jesus Christ of Latter-day Saints—to receive from the rich by consecration and to distribute to the poor, the goods of this world."¹¹

He was succeeded in office by Edward Hunter who was sustained at the general conference of the church, April 7th, 1852; and ordained on the 11th of the same month. He chose as his counselors, temporarily, Brigham Young and Heber C. Kimball, of the first presidency; and he, himself, was made assistant trustee in trust of the church, Brigham Young being the chief.¹²

11. *Deseret News* of September 28th, 1850. "He has gone down to the grave," said the *News* in concluding its comment, "leaving a spotless name behind him, and thousands to mourn their loss of such a valuable man."

12. See the Conference Minutes, *Deseret News*, April 17, 1852. "On the 11th (i. e. of April) President Kimball preached and presented the case of Bishop Edward Hunter, who was then ordained presiding bishop under the hands of Presidents Kimball and Richards. Bishop Hunter then chose President Kimball and myself for his counselors, and we were unanimously sustained by the conference in that office." (*History of Brigham Young, Ms.*, entry for April, 1852, p. 35). These brethren had acted as counselors to his predecessor; but finally Leonard W. Hardy and Jesse C. Little became the counselors of Bishop Hunter, October, 1856. (See Minutes of that Conference in *Deseret News* of October 22nd, 1856).

WILLARD RICHARDS: COUNSELOR AND ANNALIST

In 1854, on the 11th of March, Willard Richards, of the first presidency, died of dropsy at his residence in Salt Lake City. It will be remembered that he was with the Prophet Joseph Smith in the martyrdom at Carthage, but himself escaped unhurt. As he had been the confidant, and the tried and true friend of the Prophet, so did he occupy these relations with Brigham Young, and became his second counselor when the first presidency of the church was organized near the close of 1847. He was also the historian and general church recorder of the church—which position he held from December, 1842, to the time of his death. In that capacity he rendered invaluable service to the New Dispensation. For this office "he was eminently gifted," wrote Elder Orson Spencer. "He chronicled events, dates, circumstances and incidents," Spencer continues, "with rare accuracy of judgment and great tenacity of memory."¹³ Much of the accuracy and fulness of the history of the church that can now be given to the world, covering the eventful period of his labors as historian and general church recorder is due to the accuracy and fulness of the annals then written by him.¹⁴

He was succeeded as counselor in the first presidency by

13. *Deseret News*, March 16, 1854.

14. In addition to the offices above referred to as being held by him at the time of his demise, President Richards was "editor and proprietor of the *Deseret News*; also postmaster at Salt Lake City, and "enjoyed the full confidence of the postmaster-general (James Campbell) who respected his judgment touching postal arrangements throughout the mountain territories." He was chosen secretary of state in the provisional government of the "State of Deseret," and also exercised the functions of the office of secretary of the territory for some time after the departure of the "run-a-way officials" in 1851-2, under an appointment from Governor Young. He was a member of the legislature from the organization of the territory, and president of the council at the time of his death. In fact his last appearance in public was to attend the last day of the council's session for 1854. To friends while making his painful way to the council chamber he remarked: "I will go and perform this last duty, if like John Q. Adams, I die in the attempt." Returning to his home that day, 20th January, he never left it again alive. (*Deseret News*, March, 1854, *passim*). The number and nature of his pursuits will bear witness to the activity and uprightness of his life, since his occupations bespeak the community trust he was deemed worthy to receive. A brief biographical note, up to the time of his uniting with the church will be found in chapter xxxi of this *History*.

Jedediah M. Grant; and as church historian and general church recorder by Geo. A. Smith.¹⁵

JOHN SMITH—UNCLE OF THE PROPHET AND PATRIARCH TO THE CHURCH

On May 23rd, 1854, John Smith, the presiding patriarch to the church, died at Salt Lake City. "Uncle John," as he was familiarly known to the church, was the uncle of the Prophet Joseph, being the brother of Joseph Smith, Sen., who was the first presiding patriarch of the church. As stated in a previous chapter he was a very worthy man, and greatly beloved of the people.¹⁶ He was succeeded in the patriarchal office in the church by John Smith,¹⁷ the son of

15. See Conference Minutes of April, 1854, *Deseret News*, April 13, 1854.

16. "Uncle John Smith" was born in Derryfield (now Manchester) Rockingham county, New Hampshire, on the 14th of July, A. D., 1781, and was baptized into the faith, which has so long preserved his life in usefulness, on the 9th of January, 1833, and ordained an elder. * * * In 1833 he moved to Kirtland, Ohio, and in 1838 to Far West, Caldwell county, Missouri, and then to Adam-ondi-Ahman, in Daviess county, where he presided over that stake of Zion until expelled by the mob in 1839. He arrived in Illinois on the 28th of February of that year, and located at Green Plains, six miles from Warsaw, where he put in a crop of corn; during the summer he split rails, and performed much hard labor unsuited to his health and years. In June he moved to Commerce (since Nauvoo), and on the 4th of October was appointed to preside over the church in Iowa, and on the 12th moved to Lee county to fulfill that mission. October, 1843, he moved to Macedonia, Hancock county, Illinois, having been appointed to preside over the saints in that place. In January, 1844, he was ordained a patriarch, and in November of that year, was driven by mobbers from Macedonia to Nauvoo, where he continued to administer patriarchal blessings to the joy of thousands, until the 9th of February, 1846, when he was compelled by mob violence to again leave his home. After passing a dreary winter on the right bank of the Missouri, at Winter Quarters, he took up the weary ox train march on the 9th of June, 1847, and reached Salt Lake City Sept. 23rd, where he presided over the church in the mountains until Jan. 1st, 1849. He was ordained the presiding patriarch to the church under the hands of Presidents Brigham Young and Heber C. Kimball. He moved out of the 'fort' on to his city lot in February, 1849, and this is the only spot on which he has been privileged to cultivate a garden two years in succession in twenty-three years. In addition to a vast amount of varied and efficient aid to thousands in the way of salvation, during his long and faithful ministry, he administered 5,560 patriarchal blessings,—which are recorded in seven large and closely written books, and closed the arduous duties of a well occupied life as stated in the text." (See *Deseret News* of May 25th, 1854).

17. John Smith, appointed to succeed "Uncle John Smith" as presiding patriarch to the church was the son of Hyrum and Jerusha Barden Smith, and was born September 22nd, 1832, in Kirtland, Genaga (now Lake) county, Ohio. His mother died October 13, 1837. In the spring of 1838, John accompanied his father's family to Far West where from that time he shared in all the persecutions and drivings endured by the church in Missouri, and subsequently in Illinois. He arrived in Salt Lake valley in September, 1848. He was ordained to the office of presiding patriarch on the 18th of February, 1855, being then in his 23rd year,

Hyrum Smith, the martyr, who was the second presiding patriarch to the church.

ORSON SPENCER: SCHOLAR AND THEOLOGIAN

The next among the prominent elders of the church to pass away in death was Orson Spencer, M. A. The value of this man in the ministry of the New Dispensation has already been stated on the occasion of his being released from the presidency of the British Mission and the editorship of the *Millennial Star*.¹⁸ He was a graduate of Union College, Schenectady, New York, 1824; and of Hamilton Theological Seminary (Baptist), New York, 1829. He received the gospel in 1841, being baptized by his brother Daniel, and from that time became one of the most faithful, as he was one of the most refined, talented and highly educated disciples of the New Dispensation. He died at St. Louis, Missouri, on the 15th of October, 1855, to which point forty days before, he had returned from a brief mission among the Cherokee nation of the American Indians, in what is now the state of Kansas. While on this mission he was stricken with malaria, and much weakened by chills and fever he returned to St. Louis, where he was expected to take editorial charge of the *Luminary*, then being published by Erastus Snow, and also to resume his labors as the president of the St. Louis Stake of Zion, which had been organized in November, 1854.¹⁹

by President Brigham Young, assisted by his two counselors, Heber C. Kimball and Jedediah M. Grant, and several of the apostles. "In consequence of the persecution of the church and the circumstances of his family," remarks President Young, in making entry of the fact of the ordination of the young patriarch, "his opportunities of attending school were very limited. He labored diligently to attend to the wants of his father's family. In manner he was very diffident, and he possessed no tact for public speaking. In the canons and on Indian expeditions he was always found on hand by his brethren." (*History of Brigham Young, Ms.*, entry for Feb. 18, 1855, pp. 18, 19).

18. See chapter lxxxiv, this *History*, footnote 6.

19. See *History of Brigham Young, Ms.*, entry for 1854, p. 99. The organization was effected on the 4th of November of the year named. Milo Andrus was chosen the first president, with Charles Edwards and George Gardiner counselors. The members of the high council were James H. Hart, Andrew Sproule, John Evans, William Morrison, James S. Cantwell, William Lowe, Samuel J. Lees, Edward Cook, James S. Brooks, William Gore, John Clegg and Charles Chard.

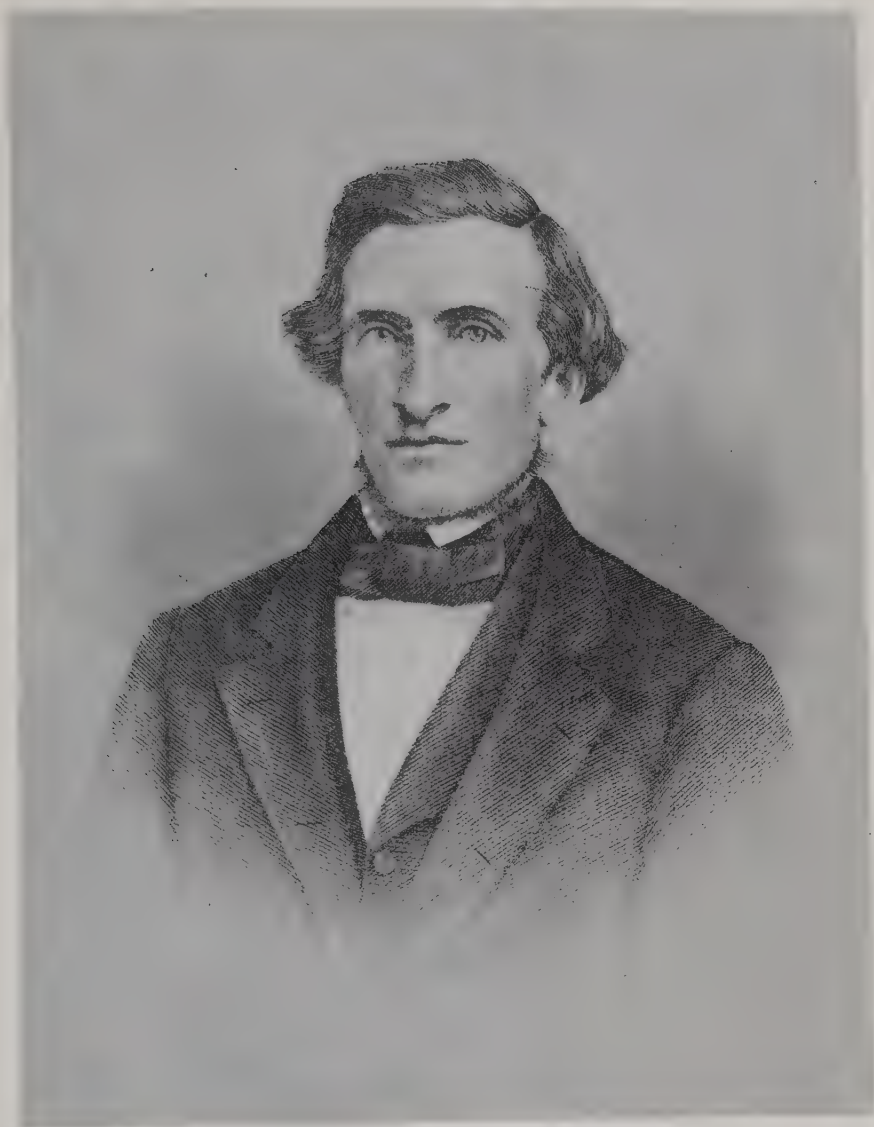
These expectations were disappointed by his death.²⁰

JEDEDIAH M. GRANT: MISSIONARY, REFORMER, AND FIRST MAYOR OF SALT LAKE

The last of the quintet of very worthy and prominent men who died within the period covered by this and the preceding two chapters, and whose prominence in the church makes it imperative that their demise be noted in this general *History*, was Jedediah M. Grant,²¹ second counselor to Brig-

20. Orson Spencer was born in West Stockbridge, Berkshire county, Mass., March 14, 1802, and was the son of Daniel and Chloe Spencer, who "belonged to that virtuous, industrious class of New Englanders of the Puritan stock which has produced so many eminent men to figure on the stage of action in all the various departments of life." In addition to the items of his history in the text it should be said that he acceptably filled the office of alderman in the city council of Nauvoo; that he shared the hardships which attended upon the exodus of the saints from that city; that on the Missouri frontiers he lost his wife, Catherine Curtis, daughter of Deacon Samuel Curtis, an accomplished and refined lady, who succumbed to the hardships of the enforced exodus from Nauvoo; that he left his six bereaved children in the care of a friend in order to respond to an appointment to take charge of the British Mission, where he presided with becoming dignity and honor. In 1849 he arrived in Salt Lake valley; and when the "University of Deseret"—forerunner of "Utah University"—was founded in 1850, he was appointed its chancellor, which position he held at his death. In 1852 he was appointed to a mission in Prussia, but was rejected and expelled from the kingdom. He returned to Utah in 1853. In 1854 he was appointed to a mission in the United States. He made his headquarters at Cincinnati until called to preside in St. Louis and take editorial charge of the *Luminary*, an appointment the activities of which were suspended in order that he might make the missionary visit to the Cherokee Indians referred to in the text, from which he returned only to die. (See *Millennial Star*, vol. xvii, pp. 762-3). In addition to the editorial work in connection with several church periodicals, Elder Spencer was the author of *Spencer's Letters*, a New Dispensation classic, covering nearly all the doctrinal and controversial subjects involved in the message of the New Dispensation to the world. The work is a series of letters to the Rev. William Crowel, of Boston, Mass., extending over a number of years, and is still published by the church for the use of its ministry, and the instruction of inquirers into her doctrines.

21. Jedediah M. Grant was the son of Joshua and Thalia Grant. He was born in Windsor, Broome county, New York, on the 21st of February, 1816. He was baptized and became a member of the church on the 21st of March, 1833. In 1834 he went to Missouri with Zion's camp, and after returning from that journey was ordained an elder in the church, and began that active work in the ministry of the New Dispensation that never ceased until the close of his eventful life. He was identified practically with all the movements of the church; with the exodus from Missouri; with the founding of Nauvoo; with the exodus from that city; with the building of Winter Quarters. He was captain of one of "the hundreds"—the third—in the migration of the saints across the plains in 1847. After that he twice returned to the eastern states in the interests of the church. He was Salt Lake City's first mayor, being elected on the first Monday in April, 1851, and uninterruptedly held that office up to the time of his death. He was elected major general of the first division of the Nauvoo Legion in 1852, a position he held at his death. He was a member of the territorial legislature and unanimously



J M Grant

JEDEDIAH M. GRANT

First mayor of Salt Lake City and active frontiersman
in early Utah days.

ham Young in the first presidency of the church, at the time of his demise; also Salt Lake City's first mayor, and the prime mover and master spirit in what is known in the New Dispensation annals as the "Reformation." Mayor Grant died quite unexpectedly on the 1st of December, 1856. "His demise has cast a deep gloom over the city," said the *Deseret News* in its announcement of his death; "stores are closed and the ordinary vocations of business suspended." Three days later he was buried with processional honors.

In the civic life of Salt Lake City and the territory of Utah, Mayor Grant was a truly forceful factor, but it is in connection with the religious movement known as the "Reformation" that he will be best remembered in history.

"THE REFORMATION:" GENERAL STATUS OF THE CHURCH

The "Reformation" was doubtless a much needed moral and spiritual awakening. It must be remembered that for a number of years the Latter-day Saints had not lived under normal conditions.

From the exodus from Nauvoo, in 1846, up to the "Reformation" in 1856—ten years—there had been much of camp life, and of frontier life, in both of which there was much moving about, unrest, absence of settled conditions everywhere, all of which made it difficult to establish regularity of life and to enforce discipline. Again, also, I call attention to the fact that the men who were the leaders in the New Dispensation were largely of Puritan

elected speaker of the house in 1852, a position he continued to hold in the three subsequent sessions. In 1845 he was chosen a member of the first council of the seventy, presiding over the missionary forces of the church; and from 1854 to the time of his death he was a member in the first presidency of the church. "As a citizen," said the *Deseret News* in his obituary, "as a friend, a son, a husband, a father, and above all as a saint, and in every station and circumstance of life, whether military, civil, or religious, he everywhere and at all times shed forth the steady and brilliant light of lofty and correct example, and died, as he lived and counseled, with his armor on and burnished." Perhaps the best eulogy pronounced upon him, however, was the remark of Brigham Young at his obsequies, *viz.*, "He has been in the church twenty-four years, and was a man that would live, comparatively speaking, a hundred years in that time." (*Deseret News* for Dec. 10th, 1856. Same issue contains an obituary and the funeral proceedings)

stock and training; and although they had become men of the mountains and the plains—men of the frontier wilderness—still at bottom they were men of very deep and very sincere religious convictions—religious convictions that demanded striving for absolute righteousness, and that did not look upon sin, in itself, with any degree of allowance. “Be ye perfect, even as your father in heaven is perfect,” represented a principle and was an admonition of the Christ accepted by them, and emphasized into possibility of achievement, when rightly understood, by the philosophy and the ethics of the New Dispensation. When, therefore, these leaders saw moral disorders about them, and increasing lack of habitual reverence for sacred things—for the Sabbath day, for example, so often infringed in their forced marches, in their fighting crickets and grasshoppers, and meeting the exigencies of the irrigation system of farming; which, to raise and sometimes to preserve a crop, often forced the use of the water upon the Lord’s day upon some of the community. Neglect of prayer by some “in the time and season thereof,” was doubtless an outgrowth of the irregularity of their lives. So, too, a carelessness in respect of individual property rights. Often necessity forced the use of range cattle for food supplies, and the exigency of forced journeys, the use of work cattle, and other team stock, not always with the consent of the owners—and yet without intent of stealing; said uses of property springing from that sense of community feeling which had so often regarded all the means or resources of the community as available in order to carry to successful conclusion any individual enterprise of importance—so interwoven were individual and community interests in the period here under consideration.

But while this community use of property was not evil intended in itself, it did make easy to those so inclined that habit of trespassing upon the property rights of others that, speaking plainly, can only be called theft.

SEX SINS AND THE "REFORMATION"

So also in regard to sex sins. The unsettled life of the ten years between the exodus from Nauvoo and the beginning of the "Reformation" was crowded with circumstances that lent themselves to continuous temptations in this kind of evil. There were the long weeks of ocean travel by mixed companies in slow sailing vessels; followed by long journeys of the same mixed companies up the American rivers, in crowded steamboats; or day and night travel in more crowded railway trains to the western terminals of the railroads. Then there was the longer overland journeying by handcart or ox train means of travel, all classes being thrown into constant and closest contact, which not all the care of the organized camp, nor the watchfulness of faithful pastors could rob of insidious and sometimes ruinous temptations. Then, too, as an explanation of the unusual force of emphasis placed upon sex sins, the Latter-day Saint community was open to the charge of licentiousness, and indeed were so charged, and that vehemently, for proclaiming as a principle and adopting as a practice the doctrine of a plurality of wives. To free themselves of this imputation in the practice of that doctrine, the church leaders laid an emphasis of denunciation upon sex sins which perhaps gives them an undue prominence in the things to be corrected by the "Reformation." Not that sex sins can be too severely denounced, or chastity too rigidly safeguarded by a community, but in consequence of what was perhaps the unconscious anxiety of the leaders to free the church from imputations of licentiousness in the matter of plurality of wives, the emphasis of denunciation placed upon violations of the law of chastity, and the severity of the retribution it was suggested be inflicted upon those guilty of such violations, have led to the belief that sexual sins were much more common in the Latter-day Saint communities than they really were.

"The law of chastity," as it stands in the doctrines of the

church, is the law as given by the Christ when among men, involving not only the prohibition of physical acts against chastity, but even licentiousness of the mind.²² To which is supplemented: "He that looketh upon a woman to lust after her, shall deny the faith, and shall not have the spirit; and if he repents not he shall be cast out. Thou shalt not commit adultery; and he that committeth adultery, and repenteth not, shall be cast out."²³ He that looketh on a woman to lust after her, or if any shall commit adultery in their hearts, they shall not have the Spirit, but shall deny the faith, and shall fear."²⁴

Sex sins in the *Book of Mormon* are denounced as "most abominable above all sins, save it be the shedding of innocent blood, or denying the Holy Ghost."²⁵ It should be noted, in passing, that these were instructions of scriptural force to the Latter-day Saints before the revelation respecting plural marriage was given. Such was the law of chastity in the church both before and after the doctrine of plural marriage was introduced. The teaching in the "Reformation" on this point brought forth no new law, but it laid tremendous emphasis upon the existing law.

OUTSIDE TESTIMONY TO THE CHASTITY OF THE LATTER-DAY SAINTS

Both Captain Stansbury and Lieutenant Gunnison have been quoted as to the strictness of the early Utah community in the matter of insisting upon chastity, in sex relations, notwithstanding the existence of the plural marriage system.²⁶ Captain Burton, whose *City of the Saints* was published in 1862, and whose sojourn among the saints was made in 1860, writes on this point: "The offenses against chastity, morality, and decency are exceptionally severe." "There is a prevailing idea * * * that wives are in public,

22. *Matt.*, v:27, 28.

23. *Doctrine and Covenants*, sec. xlii:23, 24.

24. *Ibid.*, sec. lxiii:16.

25. *Alma*, ch. xxxix:5.

26. See this *History*, chapter xciii, footnote 11.

and that woman can have as many husbands as the husband can have wives—in fact, to repeat colloquially, that they all ‘pig together.’ *The contrary is notably the case.* The man who, like Messrs. Hamilton and Howard Egan, murders in cold blood his wife’s lover, is invariably acquitted, the jury declaring that civil damages mark the rottenness of other government. * * * The Mormons point triumphantly to the austere morals of their community, their superior freedom from maladive influences, and the absence of that uncleanness and licentiousness which distinguish the cities of the civilized world.” “In point of mere morality,” he said later, “the Mormon community is perhaps purer than any other of equal numbers.”²⁷ Our author also quotes the penalties of the laws of Utah defining “crimes and punishments,” then (1860) in force, beginning with the *Territorial Laws of Utah*:

“Sec. 32. Every person who commits the crime of adultery shall be punished by imprisonment not exceeding twenty years, and not less than three years; or by fine not exceeding one thousand dollars, and not less than three hundred dollars; or by both fine and imprisonment, at the discretion of the court. And when the crime is committed between parties any one of whom is married, both are guilty of adultery, and shall be punished accordingly.

Sec. 33. If any man or woman, not being married to each other, lewdly and lasciviously associate and cohabit together; or if any man or woman, married or unmarried, is guilty of open and gross lewdness, and designedly make any open and indecent, or obscene exposure of his or her person, or of the person of another, every such person so offending shall be punished by imprisonment not exceeding ten years, and not less than six months, and fine not more than one thousand dollars, and not less than one hundred dollars, or both, at the discretion of the court.

Sec. 34. If any person keep a house of ill fame, resorted to for the purpose of prostitution or lewdness, he shall be punished by imprisonment not exceeding ten years, and not less than one year, or fine not exceeding five hundred dollars, or both fine and imprisonment. And any person who, after being once convicted of the like offense, shall be punished not more than double the above specified penalties.

Sec. 35. If any person inveigle or entice any female, before reputed virtuous, to a house of ill fame, or knowingly conceal, aid, or abet in concealing such female so deluded or enticed, for the purpose

27. Burton's *City of the Saints*, 252, *passim* to p. 441.

of prostitution or lewdness, he shall be punished by imprisonment not more than fifteen years, nor less than five years. * * *

Sec. 38. If any person import, print, publish, sell or distribute any book, pamphlet, ballad, or any printed paper containing obscene language, or obscene prints, pictures, or descriptions manifestly tending to corrupt the morals of youth, or introduce into any family, school or place of education, or buy, procure, receive, or have in his possession any such book, pamphlet, ballad, printed paper, picture, or description, either for the purpose of loan, sale, exhibition, or circulation, or with intent to introduce the same into any family, school, or place of education, he shall be punished by fine not exceeding four hundred dollars."

Nearly all anti-"Mormon" writers have made much of the fierce denunciations of sin by church leaders in this period of the "Reformation," and of the confessions to moral delinquencies on the part of some of the people, as indicating a very low state of morals and of spiritual degeneracy of the whole community. And this without taking note of the very high standard of moral and spiritual excellence required by the teaching of the church leaders; of the untoward circumstances above noted, so conducive to irregularity of life in the previous ten years; or of the excessive zeal of the leaders, inspired by the Puritan spirit in which the "Reformation" was conceived and conducted, and that often led to unconscious exaggeration in charging and denouncing both individual and community sins.

INCEPTION OF THE "REFORMATION"

The "Reformation" began at a conference at Kaysville, in Davis county, held on the 13th of September, continuing through four days; President Jedediah M. Grant, Joseph Young, of the first council of the seventy, and William Willes, recently returned from his protracted mission in India, being the most prominent factors; Brother Willes contributing much to the awakening of religious fervor by singing soul-stirring songs, one in particular, through which ran the refrain—

"The Saints will nobly do their duty."

On the third day 500 people renewed all their religious obligations in the act of baptism, 80 of whom were baptized by Elder Grant himself.

The "Reformation" proposed went chiefly to the practical affairs in life. According to the minutes of the meeting published at the time, the text of Elder Grant's first discourse and exhortation in the movement was supplied by Brigham Young:

"Saints, live your religion."

Such the text; the speaker urged that the saints hold sacred their baptismal covenants: "observing cleanliness in their persons, and dwellings, setting their families in order, carefully cultivating their farms and gardens, and not to feel so anxious to have more land that they could not attend to themselves; to gather into and build up the fort and settlement; and concluded by praying that all those who did not feel to do right might have their way opened to leave the people and territory of Utah, and that those who did not come forward and do their first works, [i. e. renew religious obligations by baptism], let them be unto you as heathen men and publicans, and not numbered among the saints."²⁸

In this passage the keynote of the "Reformation" is struck; and save only for what some might regard as a hint of intolerance in the closing lines, its purposes were wholly commendable.

This first "Reformation" meeting was followed by others during the same week at Farmington, in the same county, continuing three days, resulting in 406 persons renewing their religious obligations by baptism. The meetings were of the same general character as those held in Kaysville.²⁹

By Sunday, the 21st of September, the "Reformation" had reached Salt Lake City; and in the two meetings held in the "Old Tabernacle" that day, President Brigham Young and Heber C. Kimball as well as President Grant participated in the enthusiasm of the occasion, and from thence the work of reform and the renewal of religious obligations and cove-

28. *Deseret News*, September 24, 1856.

29. Minutes of the Farmington meetings are published in *Deseret News* of Sept. 24, 1856.

nants by the impressive sign of baptism, extended throughout all the settlements of Utah, and to all the branches and conferences and missions of the church. That much good was accomplished; that a spiritual awakening in the church was effected may not be doubted. Also it must be admitted, as in nearly all such movements, and times of special manifestations of religious zeal, there were many extreme things suggested, and some unwarranted interpretations of the scriptures, and many ill-advised things said which, when measured by the spirit of the gospel of Jesus Christ, are found wanting, especially on the side of patience, and forbearance, and mercy. In some of its aspects this "Reform" movement resembled more in spirit the severe justice and retribution of the old Mosaic law than the spirit of the gospel of Jesus Christ.

"BLOOD ATONEMENT"

Among the things to be regretted in connection with the "Reformation," and from which the church has suffered much, through misapprehension of her real attitude in respect of the matters involved, are certain extreme and unqualified utterances of some of the leading elders of the church on what it has become custom to call "*blood atonement*;" by which is meant, as commonly represented by anti-"Mormon" writers, a claimed right on the part of the church to shed the blood of men guilty of heinous crimes, such as murder, adultery, and apostasy; and which, since such acts may not be done openly, and by legal authority vested in the church, then secretly, by assassination.³⁰

That there are crimes for which the law of God prescribed capital punishment; and which, under the union of the spiritual and temporal power—under the blending of civil

30. See Linn's *Story of the Mormons*, 1902, book v, ch. ix. *Life in Utah, or the Mysteries and Crimes of Mormonism*, Beadle, 1870, ch. xii. Stenhouse's *Rocky Mountain Saints*, ch. xxxv. Stenhouse's chapter on the "Reformation" and "Blood Atonement," and constituting the most circumstantial narrative on the excesses of the "Reformation," is largely the contribution of an anonymous writer, a fact that goes far towards destroying the trustworthiness of the statements made. (Waite's *Mormon Prophet*, 1866, ch. ix. *Lights and Shadows of Mormonism*, Gibbs, 1909, ch. xxiv).

and religious authority in the old state-theocratic government of ancient Israel existed—may not be denied. As for example, in the case of murder, the law given to Noah and his posterity was: “At the hand of every man’s brother will I require the life of men. Whoso sheddeth man’s blood, by man shall his blood be shed.”³¹ This law was carried over into the Mosaic polity; and the list of crimes enlarged to include capital punishment for assault of children upon parents; for stealing men and selling them into slavery; for witchcraft; for bestiality; for idolatry; for violating the Sabbath day; for adultery.³² Capital punishment, however, in ancient Israel, was not left to be executed by irresponsible individuals, and at their caprice. It was sternly regulated by law and executed by legally designated agencies. There are sins enumerated also in the *New Testament* for which it is said there is no forgiveness. “No murderer hath eternal life abiding in him,” saith St. John.³³ “Who so speaketh against the Holy Ghost, it shall not be forgiven him, neither in this world, neither in the world to come.”³⁴ “He that shall blaspheme against the Holy Ghost *hath never forgiveness*,” is the more impressive declaration of St. Mark, “but is in danger of eternal damnation.”³⁵

“It is impossible for those who were once enlightened, and have tasted of the heavenly gift, and were made partakers of the Holy Ghost, and have tasted the good word of God, and the powers of the world to come, if they shall fall away, to renew them again unto repentance; seeing they crucify to themselves the Son of God afresh, and put him to an open shame.”³⁶

It is very clear that other *New Testament* writers recognized a “sin unto death:” “If any man,” said St. John,

31. *Gen.*, ix:5, 6.

32. See *Exodus*, xx, xxi, xxxi; and *Leviticus*, xxiv. Also *Leviticus*, xx, cf. *Matt.*, xv:1-9; *St. John*, viii:3-12.

33. *I John*, iii:15.

34. *St. Matt.*, xii:32.

35. *St. Mark*, iii:28, 29.

36. *Heb.* vi:4-6.

"see his brother sin a sin which is not unto death, he shall ask, and he shall give him life for them that sin not unto death. There is a sin unto death: I do not say that he shall pray for it."³⁷ "For," as declares the writer to the Hebrews, "if we sin wilfully after that we have received the knowledge of the truth, there remaineth no more sacrifice for sins; but a certain fearful looking for of judgment and fiery indignation, which shall devour the adversaries. He that despised Moses' law died without mercy under two or three witnesses: Of how much sorer punishment, suppose ye, shall he be thought worthy, who hath trodden under foot the Son of God, and hath counted the blood of the covenant, wherewith he was sanctified, an unholy thing, and hath done despite unto the Spirit of grace?"³⁸

It follows as logical conclusion in such cases as are here enumerated that the matter stands with them as if no atonement of the Christ had been made, and they themselves must pay the penalty of their sins. "The life of the flesh," said Moses, is in the blood; "and I have given it to you upon the altar to make an atonement for your souls: for it is the blood that maketh an atonement for the soul."³⁹

It may, of course, be urged that reference is here made to the blood of beasts and birds appointed to be slain in sacrifice; and that their blood, typifying the blood of the Christ, which would be shed for remission of sin, was given to ancient Israel to make atonement for their souls; and it is true, as Paul said of the law, "almost all things are by the law purged with blood; and without the shedding of blood is no remission."⁴⁰ But if, as seems to be the case, from the foregoing considerations, there are certain limitations to vicarious atonement, even to the vicarious atonement of the Christ, then these ancient laws proclaiming that the life of the flesh is

37. *I John*, v:16.

38. *Heb.* x:26-29.

39. *Leviticus*, xvii:11.

40. *Heb.*, ix:22.

in the blood, and that "the blood maketh an atonement for the soul," make plain what is needful for the salvation of the soul where one's sins place him beyond the reach of vicarious means of salvation—then it is the shedding of the sinners own blood that must here be referred to.⁴¹ Paul evidently recognized such cases as these; for in referring to one who had been guilty of such sin as is not so much as named among the Gentiles, "that one should have his father's wife," he said:

"For I verily, as absent in body, but present in spirit, have judged already, as though I were present, concerning him that hath so done this deed, in the name of our Lord Jesus Christ, when ye are gathered together, and my spirit, with the power of our Lord Jesus Christ, to deliver such an one unto Satan *for the destruction of the flesh, that the spirit may be saved in the day of the Lord Jesus.*"⁴²

Here then is the doctrine taught that by "destruction of the flesh," there is hope that "the spirit might be saved, in the day of the Lord Jesus." And no one can say that Brigham Young went beyond this when he said—and this is one

41. Not, however,—as I have already urged in preceding pages—by the church; certainly not by individuals taking it upon themselves to be the ministers of God's vengeance; for then they themselves would become murderers. "To me belongeth vengeance and recompense," saith the Lord (*Deut.*, xxxii: 35). "Vengeance is mine; I will repay," saith the Lord (*Rom.*, xii); and therefore must this matter of retribution for sin be left with God and those agencies that he shall ordain to encompass it. These, in part, are the secular governments in whose politics capital punishments are provided for some of the more heinous crimes against society and government, such as murder in the first degree, etc. Therefore the church is commanded to give up those who kill to be dealt with *according to the law of the land*. And Latter-day Saints believe that where secular government prescribes capital punishment it is better that such form of execution be adopted as will shed the blood of the criminal; hence in Utah, when the Latter-day Saints, in their capacity as citizens of the state have made the laws, condemned criminals, subject to capital punishment, are permitted to choose their mode of execution either by being hung or shot, the latter mode, of course, resulting in the shedding of their blood, thus meeting the requirements of the law of God as well as the law of the state. It is quite erroneously supposed that this idea had its origin among Latter-day Saints with Brigham Young. That, however, is not the case. In the minutes of the Nauvoo city council for March 4th, 1843, occurs the following statement by Joseph Smith: "In debate, George A. Smith said imprisonment was better than hanging. I replied I was opposed to hanging, even if a man kill another, I will shoot him, [this does not mean that he would do so personally; see context of speech], or cut off his head, spill his blood on the ground, and let the smoke thereof ascend up to God; and if ever I have the privilege of making a law on that subject, I will have it so." (*History of the Church*, Period I, vol. v, p. 296).

42. *I Cor.*, v:1-5.

of the offensive passages so frequently quoted against him by anti-"Mormon" writers:

"There are sins that men commit for which they cannot receive forgiveness in this world, or in that which is to come, and if they had their eyes open to see their true condition, they would be perfectly willing to have their blood spilt upon the ground, that the smoke thereof might ascend to heaven as an offering for their sins; and the smoking incense would atone for their sins, whereas, if such is not the case, they will stick to them and remain upon them in the spirit world.

I know, when you hear my brethren telling about cutting people off from the earth, that you consider it is strong doctrine; but it is to save them, not to destroy them. * * *

I do know that there are sins committed of such a nature that if the people did understand the doctrine of salvation, they would tremble because of their situation. And furthermore, I know that there are transgressors, who, if they knew themselves and the only condition upon which they can obtain forgiveness, would beg of their brethren to shed their blood, that the smoke thereof might ascend to God as an offering to appease the wrath that is kindled against them, and that the law might have its course. I will say further; I have had men come to me and offer their lives to atone for their sins. It is true that the blood of the Son of God was shed for sins through the fall, and those committed by men, yet men can commit sins which it can never remit."⁴³

The doctrine of "blood atonement," then, is based upon the scriptural laws considered in the foregoing paragraphs. The only point at which complaint may be justly laid in the teaching of the "Reformation" period is in the unfortunate implication that the Church of the Latter-day Saints, or individuals in that church, may execute this law of retribution.⁴⁴ Fortunately, however, the suggestions seemingly made in the overzealous words of some of these leading elders were never acted upon. The church never incorporated them into her polity. Indeed, it would have been a violation of divine instruction given in the New Dispensation had the church attempted to establish such procedure. As early as 1831 the law of the Lord was given to the church as follows:

43. Discourse Sept. 21st, 1856, *Deseret News* of Oct. 1st, 1856; also *Journal of Discourses*, vol. iv, p. 53.

44. The passages that warrant the remarks of the text are to be found in a discourse of Jedediah M. Grant on March 12th, 1854, *Deseret News*, July 27th, 1854; also a discourse on the 21st of September, 1856, *Journal of Discourses*, vol. iv, p. 49, *et seq.* Also a discourse delivered by Brigham Young on Feb. 8th, 1857. *Journal of Discourses*, vol. iv, pp. 219-220.

"And now, behold, I speak unto the church: Thou shalt not kill; and he that kills shall not have forgiveness in this world, nor in the world to come.

And again, I say, thou shalt not kill; but he that killeth shall die.
* * * And it shall come to pass, that if any persons among you shall kill, *they shall be delivered up and dealt with according to the laws of the land; for remember that he hath no forgiveness, and it shall be proven according to the laws of the land.*"⁴⁵

The same disposition was directed to be made with reference to those who should rob, steal, or lie, that is, they should be delivered up to be dealt with "according to the laws of the land."⁴⁶ Those who committed adultery, and repented not, were to be cast out.

A few months later, August, 1831, the Lord said in connection with the purchase of lands in Jackson county:

"Satan putteth it into their hearts [i. e., the hearts of the Missourians] to anger against you, and to the shedding of blood; wherefore the land of Zion, shall not be obtained but by purchase or by blood, otherwise there is none inheritance for you. And if by purchase, behold you are blessed; and if by blood, *as you are forbidden to shed blood*, lo, your enemies are upon you, and ye shall be scourged from city to city, and from synagogue to synagogue, and but few shall stand to receive an inheritance."⁴⁷

Moreover, in the very discourse, most frequently quoted by anti-"Mormon" writers against the church on this point—*ante* this chapter—Brigham Young very clearly indicates that neither the church nor individual members of it had any right to execute the law of retribution he had been discussing. He could refer to "plenty of instances where men have been righteously slain in order to atone for their sins," doubtless having in mind the many such instances named in the scriptures under the law and polity received through Moses; and the legal executions in those nations and states that give sanction to capital punishment for some of these offenses; he had "seen scores and hundreds of people for whom there would

45. *Doctrine and Covenants*, sec. xlii:18, 19, 79.

46. *Ibid.*, verses 84-86.

47. *Doctrine and Covenants*, sec. lxiii. For fuller exposition see this *History*, ch. xxi.

have been a chance [in the last resurrection there would be] if their lives had been taken and their blood spilled on the ground as a smoking incense to the Almighty;" he "had known a great many men who have left this church [i. e. of the Latter-day Saints] for whom there is no chance whatever for exaltation; but if their blood had been spilled, [for their crimes, not because they left the church] it would have been better for them;"—yet "*the wickedness and ignorance of the nations forbid this principle's being in full force, but the time will come when the law of God will be in full force.*"⁴⁸

All which is but recognition of the fact that said law of God is not now in force, and the "ignorance" of the nations now in power will not permit it to go into force. Under these circumstances, then, what is to be done? On the one hand is God's law of retribution that would destroy certain sinners in the flesh for their crimes, that "the spirit," to use the language of Paul, "might be saved in the day of the Lord Jesus;"⁴⁹ on the other hand are the "ignorant nations" who will not authorize the penalties affixed to some divine laws, nor prescribe the methods of execution that the law of God anciently ordained; and the church, as an organization, and the individuals comprising it, are forbidden to inflict the physical punishment of death, or any other physical punishment. Under these circumstances, I ask again, what is to be done? Just what Brigham Young did, issue the declaration he made in the very discourse here under consideration, the discourse of February 8th, 1857, but which declaration has never received consideration by anti-"Mormon" writers, nor allowed its place in modifying the spirit of the whole discourse quoted,—often misquoted, and always in some fashion garbled—namely:

"The time has been in Israel under the law of God * * * that if a man was found guilty of adultery, he must have his blood shed; * * * but now, I say, in the name of the Lord, that if this people will sin no

48. Discourse of Feb. 8th, 1857, *Journal of Discourses*, vol. iv, p. 220.

49. I Cor., v:3-5.

more, but faithfully live their religion, their sins will be forgiven them without taking life."⁵⁰

And that was and is the course and policy followed by the church. If there has been departure in any degree from that policy, and the positive, divine injunction to the church and its individual members—"Thou shalt not kill"—if this injunction has been violated, the responsibility for such departure rests wholly upon the guilty individuals and not upon the church.

It should be noted in this connection that in the individual cases of "blood atonement" charged, the allegations rest upon the word of men who are themselves self-confessed murderers and outlaw desperadoes; or else the charge rests upon the word of anonymous writers; or the cases specified are not such as fall under the category of so-called "blood atonement."

Of the first class the accounts of "blood atonement" are by such characters as John D. Lee, of the "Mountain Meadows" horror,⁵¹ and of William A. Hickman, commonly known as "Bill," Hickman—a typical western desperado;⁵² these, *et al*, loosely ascribe responsibility for their crimes to leading "Mormon" church officials, especially to alleged orders or to the veiled suggestions of President Brigham Young. It would violate all the canons of standard historical writing to consider seriously charges made by such characters.⁵³

50. *Journal of Discourses*, vol. iv, p. 219.

51. See *Mormonism Unveiled*, Life and Confession of John D. Lee, especially ch. xix. This book—M. E. Mason, publisher, St. Louis, Mo., 1891—is edited by Wm. W. Bishop, Lee's attorney, at his second trial, 1876.

52. *Brigham's Destroying Angel, Life, Confession and Startling Disclosures of Bill Hickman, the 'Danite Chief' of Utah*, edited by J. H. Beadle, 1870. Beadle is also the author of *Life in Utah; Mysteries and Crimes of Mormonism*, etc., etc., *ad nauseam*.

53. Speaking of such charges the late President John Taylor, in a series of five letters to the *Deseret News* in which he was counseling the people of Utah to patience in the midst of a judicial crusade that gave entertainment of charges made by such characters as are referred to in the text, said: "But they are accusing some of our best and most honorable men of murder! What of that? Who have they suborned as their accusers? They themselves call them by the mild name of assassins—these are their fellow-pirates with whom they hob-nob and associate." (*Life of John Taylor*, Roberts, p. 316. The series of Taylor's Letters will be found in *Deseret News*, impressions of Oct. 16, 20, and 30; and Nov. 6 and 15, 1871).

Of the second class, *viz.*, anonymous persons, usually apostate "Mormons," who kept their identity concealed, it is alleged, through fear of assassination should they be identified with their disclosures, and whose tales of blood and cruelty and of oppression struggle out of obscurity to public attention through sensational writers. These are represented by such anonymous persons as those whose statements are admitted into the pages of Stenhouse, in his *Rocky Mountain Saints*;⁵⁴ by Beadle, in his *Mysteries and Crimes of Mormonism*;⁵⁵ by Reverend (!) C. P. Lyford, in his *Mormon Problem*;⁵⁶ and by many others who from one pretense or another conceal the identity of their alleged informers. And yet, as remarked in an official document signed by the first presidency of the church and the twelve apostles, in 1889, there seems to have been no danger to such characters either from open or secret church agencies. "Notwithstanding all the stories told about the killing of apostates," says the document referred to, no case of this kind has ever occurred, and of course has never been established against the church we represent. Hundreds of seceders from the church have continuously resided and now live in this territory, many of whom have amassed considerable wealth, though bitterly opposed to the "Mormon" faith and people. Even those who made it their business to fabricate the vilest falsehoods, and to render them plausible by culling isolated passages from old sermons without the explanatory context, and have suffered no opportunity to escape them of vilifying and blackening the characters of the people, *have remained among those whom they have thus persistently calumniated until the present day, without receiving the slightest personal injury.*⁵⁷

54. See the long communication of an anonymous writer to Stenhouse, *Rocky Mountain Saints*, detailing long list of crimes of the "Reformation" period, ch. xxxvi, *et passim*, and more especial in his chapter on the Mountain Meadows Massacre, ch. xliii.

55. See *Rocky Mountain Saints*, chapters vi, viii, x, xii.

56. *The Mormon Problem*, Rev. C. P. Lyford, 1886. More especially his four chapters constituting the Appendix of his book.

57. *The History of the Mormons: Their Persecutions and Travels*, a brochure of 20 pages by the late George Q. Cannon, 1891, p. 17.

Of the third class of cases, *viz.*, those that do not properly come within the category of alleged "blood atonement" cases, such as where a father or brother personally avenges the outraged chastity of a daughter or sister; or a wronged husband slays the despoiler of his domestic peace and home. Such cases are not peculiar to communities of Latter-day Saints in the United States, they are recognized as appeals to the "*unwritten law of the land*;" and trial juries quite generally in the United States refuse to convict, either for manslaughter or murder those who take the law into their own hands in such cases. Granting that the severity of the denunciations against violations of chastity and the purity of the home encouraged appeals to "the unwritten law," and hence that such appeals were made more frequently in Utah than elsewhere,—if they were more frequent than elsewhere in western America—it still remains to be determined whether or not that is a reproach to the community, or a tribute to the high sense of honor, the virility, the strength, and the courage of the community's manhood.⁵⁸

58. All such cases as these, however, are charged up to "blood atonement" by anti-"Mormon" writers. (See all the authorities cited in notes 50 to 59 inclusive). In the case of the United States *vs.* Howard Egan for the murder of James Monroe, appeal to "the unwritten law" was first reviewed before a court in Utah, 1851. Briefly stated the facts in the case were that Monroe seduced the wife of Egan while the husband was absent in California; an illegitimate child was born; returning to his home Egan sought out its despoiler, and shot him to death. For this he was arraigned before Hon. Z. Snow, judge of the first judicial district court of the United States for the territory of Utah. Counsel for the defense pleaded:

"I argue that in this territory it is a principle of mountain common law that no man can seduce the wife of another without endangering his own life. * * * What is natural justice with this people? Does a civil suit for damages answer the purpose, not with an isolated individual, but with this whole community? No! It does not! The principle, the only one that beats and throbs through the heart of the entire population of this territory, is simply this: The man who seduces his neighbor's wife must die, and her nearest relative must kill him! * * * If Howard Egan did kill James Monroe, it was in accordance with the established principles of justice known in these mountains. That the people of this territory would have regarded him [Egan] as an accessory to the crimes of that creature [Monroe], had he not done it, is also a plain case. Every man knew the style of old Israel, that the nearest relation would be at his heels to fulfill the requirements of justice." (*Deseret News* for Nov. 15, 1851). Judge Snow in his charge to the jury said: "We have no right to punish a person for a real or imaginary wrong, except with the authority of law. The safety of ourselves individually, and of society, depends on the correct and faithful administration of good and wholesome laws. No one ought to be punished unless that act has been declared to be penal by the law

But this whole question of "blood atonement," so much iterated and reiterated by anti-"Mormon" writers, is put at rest, so far as the church's relationship to it is concerned, by an official proclamation upon the subject, in addition to the divine instructions to the church already cited in this chapter. I give the title and formal introduction to the proclamation, and so much of the document as deals with the subject in hand, and the signatures:

MANIFESTO OF THE PRESIDENCY AND APOSTLES

"SALT LAKE CITY, Dec. 12th, 1889.

To Whom It May Concern:

In consequence of gross misrepresentations of the doctrines, aims and practices of the Church of Jesus Christ of Latter-day Saints, commonly called the 'Mormon' church, which have been promulgated for years, and have recently been revived for political purposes and to prevent all aliens, otherwise qualified, who are members of the 'Mormon' church from acquiring citizenship, we deem it proper on behalf of said church to publicly deny these calumnies and enter our protest against them.

We solemnly make the following declarations, *viz.:*

That this church views the shedding of human blood with the utmost abhorrence. That we regard the killing of a human being, except in conformity with the civil law, as a capital crime, which should be punished by shedding the blood of the criminal after a public trial before a legally constituted court of the land. * * *

We denounce as entirely untrue the allegation which has been made, that our church favors or believes in the killing of persons who leave the church or apostatize from its doctrines. We would view a punishment of this character for such an act with the utmost horror; it is abhorrent to us and is in direct opposition to the fundamental principles of our creed.

The revelations of God to this church make death the penalty of capital crime, and require that offenders against life and property shall be delivered up and tried by the laws of the land.

We declare that no bishop's or other court in this church claims or exercises civil or judicial functions, or the right to supercede, annul or modify a judgment of any civil court. Such courts, while established to regulate Christian conduct, are purely ecclesiastical, and their punitive

of the land, and the punishment directed; nor until he has had an opportunity of having a fair and impartial trial; for, peradventure, he may not be guilty as alleged against him." (*Ibid*). This instruction, however correct and formal, was vain, as such instructions have quite generally been in the United States, and especially in the western part of that country. The jury's verdict in the above case was "not guilty."

powers go no further than the suspension or excommunication of members from church fellowship. * * *

[Signed]:

“WILFORD WOODRUFF, GEORGE Q. CANNON, JOSEPH F. SMITH,

Presidency of the Church of Jesus Christ of Latter-day Saints.

LORENZO SNOW,	GEORGE TEASDALE,
FRANKLIN D. RICHARDS,	HEBER J. GRANT,
BRIGHAM YOUNG,	JOHN W. TAYLOR,
MOSES THATCHER,	W. W. MERRILL,
FRANCIS M. LYMAN,	A. H. LUND,
JOHN HENRY SMITH,	ABRAHAM H. CANNON,

Members of the Council of the Apostles.

JOHN W. YOUNG, DANIEL H. WELLS, Counselors.”⁵⁹

NOTE

THE FAST DAY OF THE CHURCH

The fast day mentioned in the regular text of this *History*, usually extends from the evening of Saturday—the day of preparation for the Lord’s day—to the afternoon of Sunday. Special services are held upon that day, the “fast day meeting, when right of speaking briefly, —usually in praise of God for his providences, or in testimony of the truth, or praying, or of singing, is granted to all present. And at this meeting the saints are admonished to remember the poor and contribute means, food or money, for their benefit; *which in value should at least equal the amount saved by the person or family so fasting.*” * * *

“All such funds,” says the instructions to the church, “should be applied exclusively for the purpose of assisting the worthy poor as, in the judgment of the bishopric, may be necessary.” The limitation of the charity to the “worthy poor,” is made in order not to foster the vicious in preying upon the industrious, and to prevent the creation of a pauper class. It is no part of the church’s polity to burden the industrious with the wilfully idle, the law is that “the idler shall not eat the bread, nor wear the garments of the laborer.”⁶⁰ Even in the cases of the “worthy poor,” “who,” says the instructions of the church in directing the uses of the fast charity, “should always have our sympathy and aid,” it is suggested that “wherever a person drawing assistance is able to do something towards his or her support, however small, the bishopric should endeavor to provide such employment suited to their capacity and condition.”

The possibilities of this fast provision is tremendous. It requires giving up two meals in a month and consecrating what would otherwise be consumed to the charity proposed. It is an act in which all may equally participate; and in their sacrifice be equal. And what is better

59. *The History of the Mormons*, by the late President Geo. Q. Cannon, a brochure, 1891, pp. 17, 18. The omitted parts between the first marks of elipsis above may be found in a previous quotation from the document in this chapter, see note 57.

60. *Doctrine and Covenants*, sec. xlii.

yet, those who may have never felt the gnawing and the weakness from hunger before,—especially the children of the rich—by this means may be given the experience with each recurring month, and thus be put into sharper sympathetic relations with their less fortunate fellow Christians and fellow citizens than could otherwise exist. Suppose such a plan was faithfully carried out in the city of New York—all responding to it as a Christian duty—it would provide ample means to feed and clothe and lodge the worthy poor of the city; the cry of hunger need not ascend into the ears of God who has provided in his earth an abundance for all. The same would be true of our nation if it became a national institution in the land. It would constitute a permanent resource, an emergency fund, from which could be instantly met the requirements of such calamities as overtake our land at times by fire and flood, by tempest and earthquake, by famine and pestilence in which all would participate equally by an equal sacrifice. And what would result from a great city, or of a nation adopting such a noble means of charity, would equally result from all nations adopting it—it has in it the elements of a noble, world-wide charity, sufficient to the constantly recurring needs of the worthy poor, and the unavoidable calamities which intermittently visit every nation and people.

CHAPTER C

THE MOUNTAIN MEADOWS MASSACRE

HERE, in these chapters dealing with calamitous events of the period of 1851-7, may as well be considered that event which is the most lamentable episode in Utah history, and in the history of the church. I refer to the *Mountain Meadows Massacre*. The writer recognizes it as the most difficult of all the many subjects with which he has to deal in this *History*. Difficult because it is well-nigh impossible to sift out the absolute truth of the matter from the mass of conflicting statements made by witnesses and near witnesses of the affair; and equally difficult to reconcile the differences of contending partisans. Anti-“Mormon” writers have been determined to fasten the crime upon the Church of the Latter-day Saints, or at least upon her leaders; and also, as a rule, holding that in some way “Mormon” doctrine and “Mormon” church polity was responsible for the crime. On the other hand, church people who in all good conscience, and justly, resent this imputation against their church and its leaders, have been naturally slow to admit all the facts that history may insist upon as inevitable.

One of the most pathetic things connected with the case is that none of the Arkansas company of emigrants survived who were competent to relate the events as they saw them take place, since all were killed who could have had any certain memory of the circumstances, and it follows that the emigrants’ story must be pieced together from the admissions and confessions of their murderers, Indians and white men, told at different times and under varying circumstances; prompted sometimes by self-interest, admissions and confessions alike, made in the hope of escaping censure, sometimes in the hope of avoiding the just consequences of participation in the crime; sometimes told in despair; and then again in the bitter-

ness of revenge against some fellow participant who had betrayed the deed of blood; sometimes told haltingly, to shield those who may have been unwillingly brought into the wretched affair. And then some of these admissions, confessions, and relations have reached us only through second and third parties who have, in all probability, colored them to their own interested or biased views of the subject.

But at this point it is necessary to present, in outline, at least, the main facts in the case, before proceeding to the discussion of them.

THE CHARACTER OF THE EMIGRANT PARTY KILLED AT MOUNTAIN MEADOWS

The emigrants attacked at Mountain Meadows were a company made up chiefly of people from the state of Arkansas, and a few from Missouri, numbering in all about one hundred and forty souls, men, women, and children. They were reported to have been an exceptionally well-to-do company; with plenty of cattle, and horses and mules for teams, besides a number of loose cattle not subject to the yoke. Stenhouse, who describes the company from information supplied by a close gentleman friend¹ of his who traveled with them from Fort Bridger to Salt Lake City, speaks of them in highest praise. He declares that they were wealthy;² that

1. This "gentleman friend," according to Mrs. Stenhouse, was Eli B. Kelsey, *Tell it All: The Story of a Life's Experience in Mormonism*, by Mrs. T. B. H. Stenhouse, 1878, p. 325. Mr. Kelsey was an apostate "Mormon;" as was also Mrs. Stenhouse and her book, an anti-"Mormon" book.

2. Mr. Jacob Forney, who succeeded Brigham Young as Indian agent for the territory of Utah, reports that they had 600 head of cattle, 30 head of horses and mules. In Waite's *Mormon Prophet*, though upon what authority is not stated, that author puts the number of cattle at 800 head, 60 horses and mules, 40 wagons and 150 emigrants (pp. 65, 66). Forney in a letter to the commissioner of Indian affairs at Washington dated from Provo, March, 1859, estimated that \$30,000 worth of property was distributed, after the massacre, "among the leading church authorities;" an estimate in the one case, and an unwarranted assumption in the other. (*Senate Documents*, 36th Congress, 1st Sess., ii, No. 42). Cradlebaugh estimated the value of the company's property at from \$60,000 to \$70,000. Beadle, quoting Dr. Brewer of the United States army, who saw this train at O'Fallon's Bluff on the Platte, on the 11th of June confirms Stenhouse's account as to the ease and leisure with which the company traveled, referring to it as "probably the finest train that had ever crossed the plains," and that there seemed to be "about forty heads of families" (*Life in Utah*, p. 179). Major Carleton confirms the party being a wealthy one.

in addition to the ordinary emigrant wagons they had several riding carriages; that in the main they were a collection of families closely related by the ties of consanguinity; that one of their number was a Methodist preacher, and that they were close observers of religious services night and morning, as well as upon the Christian Sabbath. This authority, and for their character we have no other that speaks directly for them, states that there was a company of Missourians traveling in proximity with the Arkansas company, who were "a rough-and-ready set of men, regular frontier Pioneers; the other [the Arkansas party] a picked company."³ The Missouri contingent called themselves "Missouri Wildcats."⁴ Bancroft dismisses the theory that there were two distinct companies by saying that "the truth appears to be that there were a few Missourians in the Arkansas party, as stated in *Hutchings California Magazine*."⁵ It must have been that the "Missouri Wildcats" dominated the company as it made its way through southern Utah, and gave to it the general character it bears in Utah annals, which, as we shall see, is the very opposite to that given to it by Stenhouse and Kelsey.

JOURNEY OF THE ARKANSAS EMIGRANTS THROUGH UTAH

This mixed company of Arkansas and Missouri emigrants arrived in Salt Lake City about the last of July and camped on the Jordan. It would appear that their arrival in the valley created no special interest as no mention of it appears in the *Deseret News* of the period, and Brigham Young declared that he only heard of its arrival by rumor.⁶ The emi-

"This train," he remarks, "was undoubtedly a very rich one. It is said the emigrants had nearly 900 head of fine cattle, many horses and mules, and one fine stallion valued at \$2,000; that they had a great deal of ready money besides." (Carleton's Report to Major W. W. Mackall from Mountain Meadows, May 25th, 1859, *Hand Book of Mormonism*, pp. 67-69).

3. *Tell It All*, Mrs. Stenhouse, p. 325.

4. *The Rocky Mountain Saints*, Stenhouse. Stenhouse was an apostate "Mormon" and his book anti-"Mormon."

5. Vol. iv, p. 345. See Bancroft's *History of Utah*, pp. 544-5, note 3.

6. *Brigham Young's Deposition*, read and accepted in evidence at John D. Lee's second trial, September, 1876.

grants were encamped for some time on the Jordan, west of Salt Lake City, and were advised by Elder Charles C. Rich to take the route around the north end of Salt Lake, as being preferable to the southern road. The company was so far impressed with his advice that they went as far north as Bear river, then changed their minds and concluded to take the southern route.⁷ In their journey the company passed through Provo, Springville, Payson, Fillmore and the smaller intervening settlements. No complaint is made against their deportment as emigrants until they reach Fillmore—a distance of about 150 miles south of Salt Lake City—and at Corn Creek, in Millard county—about 15 miles south of Fillmore. At the former place “they threatened the destruction of the town,” says George A. Smith, “and boasted of their participation in the murders and other outrages that were inflicted upon the ‘Mormons’ in Missouri and Illinois.”⁸ At the latter place, Corn Creek, “they poisoned the springs and the body of an ox which had died. The carcass was eaten by a band of Pieds from the desert who were on a visit to the Pahvantes”—the local tribe of Indians. “I was informed by the people

7. See *Mountain Meadows Massacre*, p. 7, by Elder (later in the apostles' quorum and counselor in the first presidency) Chas. W. Penrose, 1884, p. 7; also Bancroft's *History of Utah*, p. 547; also Tullidge in *Millennial Star*, vol. xxxix, p. 785; see also Interview with President Brigham Young, in *New York Herald* of May 6th, 1877, copied into *Deseret News* of May 12, 1877. The interview is a very long one, and important for the data it contains as to conditions in Utah at the time of the massacre.

8. This, however, may have been mere bravado, as there is no evidence beyond their reported boasts that they were connected with those events, though, in addition to the above statement, both Laban Morrill and Joel White testified that the emigrants were alleged to have boasted that they had “killed old Joe Smith.” (See the testimony of Morrill and White at second trial of John D. Lee, September, 1876). Bancroft quotes Lee as saying that the Arkansas emigrants had publicly boasted that they “had the very pistol with which the Prophet Joseph Smith was murdered and had threatened to kill Brigham Young and all the apostles.” Lee represents Isaac C. Haight as charging the emigrants with even more serious offenses such as “that they had insulted, outraged and ravished many of the Mormon women; that they had burned fences and destroyed growing crops; that at many points on the road they had poisoned the water springs; that it was their intention to return from California with soldiers as soon as possible and they would then desolate the land and kill every G—d—ed Mormon, man, woman and child, that they could find in Utah,” etc., etc. (See Bancroft's *History of Utah*, p. 549, note. *Mormonism Unveiled*, Lee's Confession, pp. 218-219). It should be remembered, however, that John D. Lee in his confession was seeking excuses for his own atrocious deeds.

living at Meadow Creek, the nearest settlers to Corn Creek," continues our authority, "that ten Indians died from this poisoned meat, and that a considerable number of cattle also died from the poisoning of the water. Some of these cattle were fat, and the owners 'tried them up,' to save the tallow. A son of Mr. Robison of Fillmore, was poisoned from the handling of the meat, and died. Among the cattle that died of poison were several belonging to the Hon. John A. Ray. He, being at the time in Europe, Mrs. Ray attended to saving the tallow, and was so poisoned as to endanger her life and permanently injure her hand. * * * While passing through the lower settlements the emigrants boasted of their participation in the expulsion of the 'Mormons' from Missouri, and threatened to stop at some convenient point, and fatten their stock, that when the United States troops should arrive, the emigrants would have plenty of beef to feed them with, and would then help to kill every 'Mormon' that there was in the mountains. This course of conduct on their part, coupled with the rumor which they spread, that some four or five hundred dragoons were expected through on the Fremont trail (i. e. from California), whom they would join, caused them to be regarded by the settlers with a feeling of distrust."⁹

9. It must be remembered by the reader that at this time—summer of 1857—a force of United States troops were *en route* for Utah to suppress a supposed rebellion against federal authority in Utah; and it was the coming of these troops the emigrants referred to, and whom they threatened to reinforce by joining those troops that were expected from the southwest over Fremont's trail, to form a juncture with the eastern force in demonstration against the "Mormons."

The quotations in the text of the history are from a letter addressed to President Brigham Young, by Geo. A. Smith, dated at Parowan, August 17, 1858, about one year after the massacre occurred, and is recorded in the *History of Brigham Young, Ms.*, under the entry for Sept. 9th, 1857 (pp. 481-489), with the following explanatory note: "This is the day on which it is reported that the horrible Mountain Meadows Massacre by the Indians occurred [in reality it took place two days later], an account of which was written in a letter from George A. Smith to President Brigham Young, dated nearly a year after the terrible transaction." Then follows the letter in full. George A. Smith at this time was the representative to the council of the territorial legislature from the council district in which the southern settlements were located; and it was in the capacity of council representative that he conducted his investigations, and made his report to Brigham Young. It is a most valuable historical document on account of its having been written within a year of the event which, in the main, it treats; and because it represents the view of the massacre reported to Geo. A. Smith, which those who had engaged in it were evidently desirous should be the accepted version; and lastly on account of the

THE ALLEGED POLICY OF "NON-INTERCOURSE" WITH THE
ARKANSAS EMIGRANTS

It is alleged that these emigrants could not purchase provisions in Salt Lake City, nor in the settlements through which they passed; that they were ordered by Brigham Young to leave Salt Lake City; that a courier preceded them, through the southern settlements, with written instructions for the settlers to have no dealings or intercourse with them.¹⁰ This is contradicted, however, as we shall see later by the sworn statements of men who sold grain to the emigrants until they were satisfied and would purchase no more. Attention has already been called to the partial famine in Utah in 1855-56, and the necessity it enjoined upon the people of Utah, in their peculiar situation, to husband their food supplies, especially their grain.¹¹ In addition to the possibility of the recurrence of drought and grasshoppers, there was now an army approaching the territory, with no very clearly defined purpose, with no official notification of its purpose at all, or the fact of its having started, served upon the civil authorities of the territory; and in what it might eventuate no one knew, except that on the part of the Latter-day Saints there was a strong determination not to submit to oppression, even though that should involve them in another exodus from their homes; and as a preliminary step to such a possible eventuality, word was sent throughout the settlements to the people to carefully husband their grain; to feed none to their own stock, to sell

high character of the author of the letter, George A. Smith, and his official standing in the community—member of the apostles' quorum in the church, church historian, and member of the legislative council of the territory.

10. *Rocky Mountain Saints*, pp. 432-3. Though Stenhouse here quotes an anonymous writer, "*Argus*," in the *Corinne Reporter*, a Gentile paper, published at the town of Corinne, about fifty miles north of Salt Lake City, yet Stenhouse vouches for him, knows who he is and holds that the "Open Letter" of "*Argus*" to Brigham Young was written by one of such standing as to make it worthy to be admitted into a serious history, (*The Rocky Mountain Saints*, p. 430, note. See also for alleged treatment of these emigrants by settlers, letter of Jas. H. Carleton, brevet major first dragoons, U. S. A., from Mountain Meadows encampment, May 25, 1859, *Hand Book of Mormonism*, pp. 67-69, anti-"Mormon," a compilation of miscellaneous documents).

11. See chapter xcix.

none to passing companies of emigrants for that purpose, and for food supplies only sufficient to see them through to where they could purchase of other communities.¹²

Elder George A. Smith who had been at the national capital and in the eastern states for about a year, urging the claims of Utah for admission into the Union, returned to Salt Lake City in the summer of 1857, and as some members of his family lived at Parowan, and he had property interests in the southern settlements—it will be remembered that he was prominent in the founding of these settlements—he paid a visit to the south part of the territory. In his capacity of an elder in the church, and a member of the council of the twelve apostles, he gave counsel to the saints respecting the care of their grain, and the necessity of being prepared for possible emergencies. But in as much as Elder Smith went south in advance of the Arkansas emigrant company, he is the “*courier*” of the anti-“Mormon” writers; the one who went to instruct the southern settlements in the policy of non-intercourse with the emigrants, and refusal to sell them food supplies,¹³ both of which charges Elder Smith by affidavit specifically denies, as he also denies that he knew even of the existence of the Arkansas company until he was returning from his journey to the south, and met them at Corn Creek, fifteen miles south of Fillmore.¹⁴ President Young denied

12. See Deposition of Brigham Young, received as evidence in the second trial of John D. Lee, at Beaver, Sept., 1876, *Court Record* of the trial; also affidavit of Geo. A. Smith. (*Ibid*). These documents are also to be found in *Mormonism Unveiled*, where the *Court Record* of the second trial of John D. Lee is given in large part, chapters xxi, xxii, and xxiii.

13. “What had they [the Arkansas emigrants] done * * * that a *courier* should be sent ahead of them bearing your [Governor Young’s] written instructions to the Mormons, on said company’s line of travel to have no dealing or intercourse with them; thus compelling [condemning (?)] them to almost certain starvation on the deserts.” (“*Argus*,” quoted by Stenhouse, *Rocky Mountain Saints*, pp. 431-2-3).

14. See Smith’s affidavit, second trial of Lee. “Deponent further saith, that as an elder in the Church of Jesus Christ of Latter-day Saints, he preached several times on his way south, and also on his return, and tried to impress upon the minds of the people the necessity of great care as to their grain crops, as all crops had been short for several years previous to 1857, and many of the people were reduced to actual want, and were suffering for the necessities of life.

Deponent further saith, that he advised the people to furnish all emigrant companies passing through the territory with what they might actually need for

that the Arkansas emigrants had been ordered away from Salt Lake either by himself or any one in authority under him; or that any order had been given by him not to sell grain or to trade with the emigrant trains passing through Utah at the time. "Counsel and advice," President Young explains, "were given to the citizens not to sell grain to the emigrants to feed their stock, but to let them have sufficient for themselves if they were out. The simple reason for this was that for several years our crops had been short, and the prospect was at that time that we might have trouble with the United States army, then *en route* for this place, and we wanted to preserve the grain for food. The citizens of the territory were counseled not to feed grain to their own stock. No person was ever punished or called in question for furnishing supplies to the emigrants, within my knowledge."¹⁵

At Lee's first trial, July, 1875, Jesse N. Smith, for a number of years a member of the Utah territorial legislature, a prominent Pioneer in the southern settlements of Utah and later in Arizona, where he was elected a member of that territorial legislature, and was president of the Snowflake stake of Zion—Mr. Smith testified that he lived in Parowan in 1857, that he came to Utah ten years before. Saw the [Arkansas] emigrant train at the town above named [Parowan], *sold them flour and salt, had flour to spare and asked if they wanted more; they wanted vegetables, but witness had none to spare. Saw George A. Smith in Parowan August 8th; he came in from the north, went down among the settle-*

breadstuff, for the support of themselves and families while passing through the territory, and also advised the people not to feed their grain to their own stock, nor to sell to the emigrants for that purpose.

Deponent further saith, that he never heard or knew of any attack upon said emigrant train until some time after his return to Salt Lake City, and that while near Fort Bridger he heard for the first time that the Indians had massacred an emigrant company at Mountain Meadows." (See also, in confirmation, affidavit of Jesse N. and Silas S. Smith, *Court Record* of John D. Lee's first trial, July, 1875, and *Deseret News* of Aug. 4th, 1875).

15. Affidavit, Brigham Young at Lee's first and also second trial, *Court Record*; also *Deseret News*, for 4th Aug., 1875, where the deposition is given at length. This deposition was presented at both the first and second trial of Lee, but was only admitted at the second trial.

ments, witness accompanying him. A meeting was held in every settlement. Witness attended them all. He [George A. Smith] deprecated selling grain and breadstuffs to feed to horses and mules. Never heard him in his public addresses allude to this train."¹⁶

Silas S. Smith, brother to the above witness, corroborated, in the main the statements given by Jesse N. Smith. "Heard nothing said to discourage the sale of provisions to emigrant trains for food;" and heard nothing said by George A. Smith "against allowing emigrant trains to pass through the country."¹⁷

Accompanying Geo. A. Smith northward their party met the Arkansas emigrants at Corn Creek where they were encamped, and where the Smith party camped also. Some of the emigrants visited the Smith party and made inquiries. Some one asked if the Indians would be likely to eat the flesh of an ox that laid dead near the camp, and was answered that most likely they would.¹⁸ From Cedar Springs

16. *Court Record*, Lee's first trial, testimony of Jesse N. Smith, *Salt Lake Tribune* report of trial, pp. 33-34. *Deseret News*, August 4th, 1875.

17. *Ibid.* Silas Smith was equally prominent, with his brother, in both the civic life of the territory of Utah, and in the ecclesiastical life of the church. Elected to the territorial legislature in 1859, he served almost continuously in the house and council for twenty years, much of which time he was bishop of Paragonah. In 1879 he led a party of Pioneer settlers into what is now called San Juan county, southeastern Utah, and founded the city of Bluff and other settlements. Subsequently he removed to San Luis valley, Conejos county, Colorado, where a number of Latter-day Saint settlements were being organized into a stake of Zion, of which he was made the president; and in which capacity and for the colonists he purchased some 20,000 acres of land at public sales, and secured titles for the people, and established them in prosperous settlements in the state of Colorado.

18. Elisha Hoops, who was a member of the Smith party when at Corn Creek, testified at the first Lee trial that he heard the inquiry respecting the likelihood of the Indians eating the dead ox; and also testified that just as the party he was with was starting out in the morning, he saw a German doctor traveling with the Arkansas train stick a knife into the carcass of the dead ox in question in three places and pour something in the cuts out of a vial. (See *Court Record*, testimony of Elisha Hoops; also *Deseret News* of Aug. 4, 1875; see also a statement of Historian George A. Smith under the title Account of the Mountain Meadows Massacre, *History of Brigham Young, Ms.*, entry for 25th of Nov., 1864, pp. 879-883). On the other hand it is alleged that the poisoning of dead cattle resulted from their having eaten a poisonous weed that grows in southern Utah. Jacob Forney, who succeeded Brigham Young as Indian agent for the territory, makes this as an explanation in his report to the government and cites the case of the ox of Mr. Ray (referred to by Geo. A. Smith in this chapter as being killed by drinking from the springs poisoned by the emigrants) as being so killed while the Arkansas emigrants

in Millard county, Silas S. Smith separated from his cousin, Geo. A. Smith, and returned southward to his home in Paragoona. When so returning he overtook the Arkansas emigrants at Indian Creek near Beaver, camped with and had supper with them. And heard the captain of the company called "Mr. Fancher."¹⁹

The Arkansas company passed through the "Mormon" settlements of Cedar and Pinto in the latter part of the first week in September and encamped at Mountain Meadows.²⁰

LOCATION OF THE MOUNTAIN MEADOWS

The Mountain Meadows are situated about three hundred and twenty miles south and a little west of Salt Lake City. They are on the plateau which forms the rim of the basin, the watershed separating the streams that flow to the Colorado river, and those flowing northward to lose themselves in the semi-desert of the Escalante valley. The "Meadows" are really a narrow valley about five miles in length by one mile in width, narrowing down to a few rods in width at the southern end, through which the old emigrant road passed. Near the south end of the Meadows is a large spring, a short distance north of which the Arkansas emigrants went into encampment, expecting, according to reported outgivings of theirs, to remain there some time for the purpose of resting their cattle before commencing their journey through the desert and semi-desert country between them and southern California.

were in the neighborhood of Corn Creek (*Senate Documents*, 36th Congress, 1st Session, ii, No. 42, p. 76. Forney's Report was made in September, 1859). It is further asked what motive the Arkansas party could have for thus inviting the hostility of the Indians. The only answer, if any, would be the general contempt in which western emigrants held the Indians, the lightness in which they regarded the act of taking their lives, culminating in that most wretched of all aphorisms of the mountains and the plains—"The only good Indian is a dead one."

19. *Deseret News*, Aug. 4, 1875.

20. There is some conflict in dates as to the time of the arrival of the emigrants at the Meadows, and also as to the date on which the massacre occurred. For instance, "Argus," whom Stenhouse quotes, places the time of the massacre on the 15th of September, instead of the 11th. (*Rocky Mountain Saints*, p. 431). And Josiah F. Gibbs, author of *Lights and Shadows of Mormonism*, places the first attack upon the emigrants on the 19th of September (p. 223), saying, however, that the dates "are somewhat mixed."

THE MESSAGE OF INQUIRY SENT TO BRIGHAM YOUNG—JAMES HASLEM

Meantime the effect of the bad conduct of this emigrant company while passing through the southern "Mormon" settlements and the adjacent Indian tribes had culminated in a great excitement among the latter, and of anger and resentment among the former. It was customary for the local leading men at Cedar and from the smaller settlements in its vicinity to gather in a council meeting after the close of the regular Sunday services of the church, to consider questions of local community interest. At such a meeting on the 6th of September the question concerning the conduct of, and what ought to be done with, the Arkansas emigrants was brought up and debated. Some in the council were in favor of destroying them, and others were not. Finally, and largely through the influence of Mr. Laban Morrill, it was "unanimously decided" in that council to suspend all hostile action relative to the emigrants until a message could be sent to Brigham Young to learn what would be the best course to pursue.²¹ The next day James Haslem, a resident of Cedar at the time, was sent as such messenger to Governor Young. Word had come to Cedar before this express started for Salt Lake City that the Indians had the Arkansas emigrants surrounded at Mountain Meadows and John D. Lee (farmer to the Indians in southern Utah) wanted to know what should be done.²² Haslem testifies that this was the substance of the message handed to him.²³ Haslem arrived in Salt Lake

21. *Court Record*, second trial of John D. Lee, testimony of Laban Morrill.

22. The message he was to carry was read to Haslem by Isaac C. Haight, then sealed up. The messenger carefully concealed it upon his person and began his journey. (Haslem's affidavit, *Mountain Meadows Massacre*, Penrose, p. 86).

23. See also affidavit of Haslem given 12th of January, 1885, before Joseph Howell, notary public at Wellsville, Utah. Mr. Howell later was representative to congress from the state of Utah. The testimony of Haslem is not given at length in the court proceedings in the second trial of Lee, but a synopsis only. See the court proceedings as reported in *Mormonism Unveiled*, compiled and edited by Lee's counsel, William W. Bishop, containing Lee's alleged confession and a full account of his second trial. Haslem's testimony as recounted there stands as follows: "James Haslem testified that he went as a messenger from Haight to Brigham Young, and that Brigham Young sent back word that 'those men must be

City in the forenoon of Thursday, the 10th of September. Governor Young after reading the message asked Haslem if he could stand the return trip; Haslem answered in the affirmative, and was then directed by the governor to take a few hours rest and then return with the answer that would be prepared. After several hours rest, Haslem presented himself to the governor and received a written message, unsealed, the governor saying to him as he prepared to ride away:—

GOVERNOR BRIGHAM YOUNG'S VERBAL ANSWER

*"Go with all speed, spare no horse flesh. The emigrants must not be meddled with, if it takes all Iron county to prevent it. They must go free and unmolested."*²⁴

PRESIDENT YOUNG'S LETTER TO ISAAC C. HAIGHT

"President's Office,

G. S. L. City, Sept. 10th, 1857.

Elder Isaac C. Haight,

Dear Brother: Your note of the 7th inst. is to hand. Captain Van Vliet, acting commissary is here, having come in advance of the army to procure necessaries for them. We do not expect that any part of the army will be able to reach here this fall. There are only about 850 men coming, they are now at or near Laramie. A few of the freight trains are this side of that place, the advance of which are now on Green river. They will not be able to come much, if any farther, on account of their poor stock. They cannot get here this season without we help them. So you see that the Lord has answered our prayers and again averted the blow designed for our heads.

In regard to emigration trains passing through our settlements we must not interfere with them until they are first notified to keep away. You must not meddle with them. The Indians we expect will do as they please, but you should try and preserve good feelings with

protected and allowed to go in peace.' He got back with the message Sunday after the massacre, and reported to Haight, who said, 'It is too late.' " (*Mormonism Unveiled*, pp. 322-3). In the *Deseret News* daily report of the trial while in progress, the synopsis of Haslem's testimony was more extended and contained the words to be used presently in the text. In consequence of the detailed testimony of Mr. Haslem not being given in full in the *Court Record*, an attorney, S. A. Kenner, Esq., took his testimony in the form of questions and answers on the aforesaid 12th day of January, 1885, as above cited. The testimony will be found *in extenso* as a Supplement to *The Mountain Meadows Massacre*, by Charles W. Penrose, 1884.

24. Report of Lee trial, while it was in progress, *Deseret News* of Sept. 20th, 1876. Also Haslem affidavit, Supplement to Penrose's *Mountain Meadows Massacre*, pp. 94, 95. Haslem also said he knew the contents of the written answer. (*News report, Ibid.*).



**BEEHIVE HOUSE, EAGLE GATE AND
SURROUNDINGS**

Center of church official activity of the early Utah period.

them. There are no other trains going south that I know of if those who are there will leave let them go in peace. While we should be on the alert, on hand and always ready we should always possess ourselves in patience, preserving ourselves and property, ever remembering that God rules. He has overruled for our deliverance this once again, and he will always do so if we live our religion, be united in our faith and good works. All is well with us. May the Lord bless you and all saints forever.

I remain as ever your brother in the Gospel of Christ
BRIGHAM YOUNG."²⁵

Haslem returned by relay of horses, arriving at Cedar on Sunday the 13th of September, and delivered his message from Governor Young to Isaac C. Haight, who as he read it, burst into tears and said:

"Too late, too late!"

"The massacre," adds Haslem, "was all over before I got home."²⁶

Not only was a messenger sent to President Young in pursuance of the agreement of the council held at Cedar on the 6th of September, but messengers were also sent to leading men at Pinto, a small settlement within five or six miles of the Mountain Meadows, directing that the Indians be held in check until word could be received from Brigham Young with reference to the emigrants, and giving the information that a messenger was then starting for Salt Lake City.²⁷

OPENING ATTACK ON THE EMIGRANTS

Meantime several hundred Indians had gathered at Mountain Meadows, and at break of day on Monday or Tuesday morning—began an attack upon the emigrant

25. *Church Business Letter Book*, No. 3, above copied from original impression.

26. Haslem's testimony, *Mountain Meadows Massacre*, Supplement, p. 95. Haslem's ride stands among the foremost of such achievements. He had ridden over six hundred miles in six days, and largely through a wilderness country.

27. See Haslem's affidavit, *Ibid*, p. 102. Joel White and Philip Klingensmith were entrusted with this message to Pinto. En route they met, near Cedar City, and going towards it, John D. Lee. They acquainted him with the nature of their mission and message, to which Lee answered: "I have something to say about that." (Testimony of Klingensmith, at Lee's first trial, July, 1875, *Court Record*; and testimony of Joel White at Lee's second trial, *Court Record*, September, 1876).

camp,²⁸ killing—it was afterwards learned—seven and wounding sixteen at the first volley. Though taken unawares the emigrants fought bravely and repulsed the Indians, killing several braves and mortally wounding two of their chiefs. This checked the attack, and afforded the emigrants an opportunity to draw their wagons into a close circle, sink the wheels to the hubs, and in the center of the enclosure dig a rifle pit large enough to afford protection to the whole party. They were in a state of siege.

Meantime the Indians sent runners into the surrounding country to gather more tribesmen,²⁹ and one to John D. Lee, urging him to come to the place of the conflict and lead them to victory. Lee crossed the mountains from his home at the settlement of Harmony, and arrived among the Indians, whom he reports as in a frenzy of excitement and demanded that he lead them in an attack upon the now intrenched camp, threatening if he did not do it they would declare war upon the “Mormons” and kill every one in the settlements.

Unfortunately for these statements we only have the word of Lee to support them, as he was the only white man up to this stage of the proceedings with the Indians, and he can never be accepted as a reliable witness. But according to his statements he induced the Indians to allow him to leave the vicinity of the Meadows to bring up more Indians from the south. Sixteen miles southward he met about one hundred Indians and a number of white settlers from the Santa Clara valley. The Indians proceeded forthwith to

28. Lee says the first attack was made on Tuesday morning. (*Confession, Mormonism Unveiled*, p. 226). Others place it on Monday morning, Sept. 7th. (See Linn's *Story of the Mormons*, p. 521; Bancroft's *History of Utah*, p. 550).

29. The following statement is from the report of Hon. George A. Smith, to Brigham Young, on Aug. 17, 1858: “When the attack was made on the emigrant party, the Indians sent out runners to the various bands in every direction, to gather additional help. The news reached the settlement at Cedar through that means. Ahwonup, the Piede chief at Parowan, received an invitation to join the foray against the emigrants. He went to Colonel Dame to tell him what he was going to do, upon which the colonel succeeded in inducing him and the most of his warriors to abandon the project.” (*History of Brigham Young, Ms.*, entry for 9th of Sept., 1857, pp. 481-9).

join their friends at the scene of conflict, the whites camped together with Lee that night, and moved on to the Meadows the next day. From the encampment which these whites formed near Hamblin's ranch, and at no great distance from the emigrant train, word was sent to Cedar detailing the situation. But whether that was a message asking for help to protect and save the emigrants and pacify the Indians, as claimed by Lee;³⁰ or a call for reinforcements to help effect their destruction; or a call for a gathering of more settlers for consultation to determine what could be done, and what it would be best to do, may not be determined, as Lee's statement cannot be trusted. The call, however, whatever its purport, brought to Mountain Meadows a number of white settlers from Cedar, on Thursday, the 10th of September, enough to swell the number of whites now there to between fifty and sixty, many of whom were but very young men.

That night and the following morning the fate of the emigrants was debated among the leaders of the settlers. One incident which may have been a large determining factor in the subsequent tragedy was the killing, the night before, of one of the emigrants by white men some distance from the emigrant camp. It appears that two men of the emigrant company on Wednesday left their camp in the Meadows, evaded the watchfulness of the Indians and were making their way to Cedar for help; at or near the settlement of Pinto they met three white men to whom they told their errand, but were immediately attacked and one of them was killed. The other escaped and returned to the emigrant camp, with his news, of course, that the white settlers were doubtless in league with the Indians for their destruction, since his companion had been killed by white men. Should any of the emigrants escape with that story to California, in the then excited state of mind towards the "Mormons," the likelihood would be that a military force would soon be moving

30. Lee's Confession, *Mormonism Unveiled*, p. 229.

upon them from the west as well as the one now invading the territory from the east. This is not said by way of palliation for the crime of the massacre which followed, but is mentioned as one of the important facts of the tragedy, and as one of the contributing causes, doubtless, to the decision arrived at that all of the emigrants should be killed who would be likely to retain any memory of what had occurred, or was likely to occur.³¹

MOTIVES PROMPTING THE MASSACRE

This gives fear a large place among the motives that led to the crime of the Mountain Meadows. It has already been stated that the course of the emigrants in passing through the southern settlements had awakened the resentment of the people. Though much of their boasting about participation in the Missouri and Illinois "Mormon" troubles may have been the mere bravado of the "Missouri Wildcats;" and their threats against the then presiding "Mormon" leaders, and their expressed intention to return in force and destroy the Latter-day Saint settlements, may have been but the vain ranting of the reckless spirits of the camp, yet it was suicidal to indulge in that bravado and such ranting. It would have been so in any community who had suffered such injustice as the Latter-day Saints had suffered; with which suffering they were now taunted, and of which there was now—as the settlers viewed it—a threatened repetition, and in which repetition the reckless part of this company of emigrants expressed determination to participate. Such procedure even under normal conditions would have aroused resentments and led to trouble, and most likely to some acts of violence. But to make these boasts, and to indulge in these threats at a time when great excitement prevailed in the "Mormon" settlements, and the war spirit of the people was aroused by reports of the approach of an invading army

31. Lee's Confession, *Mormonism Unveiled*, p. 235; also Lee's second trial, *Court Record*, testimony of Jacob Hamblin. Lee states that two men left the camp. Hamblin reports that Lee told him that there were three, and that two escaped. (*Ibid*).

whose purpose the saints were left to suspect by their cruel experiences with state troops in both Missouri and Illinois—for the Arkansas emigrants to indulge in boastings of past achievements with armed movements against the saints, to swagger and threaten a repetition of these things was, under all the circumstances, to invite calamity. And now that one of their number had been shot down by white men, and they had evidence that white settlers of Utah were leagued with the Indians, it doubtless made it easy for some of the leaders to persuade the white settlers gathered at Mountain Meadows to conclude that the emigrants if allowed to escape would be able to carry out their threat of returning from California with the necessary force to destroy the "Mormon" settlements. And so I say this fear became a weighty argument in determining the fate of the emigrant company.³²

32. Nearly all anti-"Mormon" writers mentions as motive for "Mormon" bitterness, or "animus" against the Arkansas company, the murder of Elder Parley P. Pratt in Van Buren county, Arkansas, and name revenge for his death as a motive for the crime at Mountain Meadows, Stenhouse viciously and wickedly saying, in this connection, that "the Indian is not the only human being who fails to discriminate between the innocent and the guilty." (*Rocky Mountain Saints*, p. 428). And even Bancroft attributes "Mormon" "disfavor" for the Arkansas company to "the murder of a well-beloved apostle of the Mormon church." (*History of Utah*, p. 545). Yet there is not a scintilla of evidence that justifies in the remotest manner any such suggestion, much less any such conclusion. Elder Pratt was killed on the 13th of May, near the line, between Indian territory and the state of Arkansas, and on which side of it is not quite certain, and while news of his death had reached Salt Lake City before the departure southward of the Arkansas company, no particulars of that sad event were known in Utah, as the eastern mail service between Independence and Salt Lake City had been suspended for several months; and there were no feelings of revenge existing in Utah against Arkansas citizens on account of the Pratt murder. Equally vain are the attempts to connect the Mountain Meadows tragedy with alleged threats made by Brigham Young in his conversation with Captain Van Vliet, and with which Bancroft's chapter on the massacre opens. In that conversation Brigham Young said: "If the government persists in sending an army to destroy us, in the name of the Lord, we shall conquer them. If they dare to force the issue, I shall not hold the Indians by the wrist any longer, for white men to shoot at them; they shall go ahead and do as they please. If the issue comes, you may tell the government to stop all emigration across this continent, for the Indians will kill all who attempt it." (*History of Brigham Young, Ms.*, entry for 9th of September, 1857). This conversation is said by Bancroft to have occurred upon the 9th of September, two days later the massacre, over three hundred miles distant, took place. "In the absence of telegraph and railroads it would be impossible," Bancroft concedes, "to execute a deed three hundred miles away in two days." But as a matter of fact this Young-Van Vliet interview, in which the above statement occurs, took place on Sunday, the 13th of September, two days after the massacre at Mountain Meadows. (See *Woodruff's Journal, Ms.*, entry for 13th September, 1857). Brigham Young's words to Captain Van Vliet constituted a warning instead of a threat.

The fate of the emigrants was debated among the leaders of the white settlers at the Meadows; we need not attempt to trace the discussion in detail where there is so much that is unreliable on account of the character of the witnesses, and so much that is contradictory. Nor is it possible to know the distress and suffering of the besieged emigrants. It is known, however, that their suffering was very great. Their corral of wagons was some distance from the spring on the north side of which they had camped, and they could get no water without exposing themselves to the attacks of the Indians who watched the spring; and the same is true as to wood, though at intervals, and usually at night, both were obtained, but at great risk. Great and sickening must have been their consternation when they learned from their man who had escaped from the Pinto assault that white men as well as the Indians were arrayed against them.

MASSACRE COLDLY DETERMINED UPON

After the discussion as to the disposition of the emigrants referred to ended, it appears that leading spirits among the white settlers who had assembled at Mountain Meadows determined upon the destruction of the emigrants; and in order that it might be accomplished without risk to themselves it was decided to decoy the emigrants from their fortified camp, disarm them and treacherously put them to death. The conception was diabolical; the execution of it horrible; and the responsibility for both must rest upon those men who conceived and executed it; for whatever of initiative may or may not have been taken by the Indians in the first assault upon these emigrants, responsibility for this deliberately planned massacre rests not with them.

A flag of truce was sent to the emigrant camp, carried by one William Bateman; he was met outside the camp by a Mr. Hamilton from the emigrant company, and an arrangement was made for John D. Lee to hold a parley with the emigrants and explain in what way they could be delivered

from the vengeance of the surrounding Indian tribes. The terms were that the emigrants give up their arms; that the wounded be loaded into wagons followed by the women and larger children, the men of the company in single file coming after them. On condition of such surrender the white settlers were to give the emigrants safe conduct back to Cedar, where they would be protected until they could continue the journey to California in safety. The surrender was made by the emigrants; two wagons were brought to their camp and the arms and the wounded loaded into them, the procession formed, and the march toward Cedar began.

EXECUTION OF THE PLAN

Meantime the Indians, several hundred in number, had been concealed in patches of scrub oaks and cedars behind a swell of the hillside, out of view from the emigrant camp, but beside the road over which this forming procession would move. A short distance from the emigrant camp the settlers from Cedar City and the Clara valley were drawn up in double file, and between the files the procession of wagons, women and children and men passed. The file of settlers was then changed from double to single order, an armed settler by this arrangement marching on the right of each unarmed emigrant man. When the wagons and the women and children had reached the stretch of road beside which the Indians were in ambush, the signal agreed upon was given, *and in from three to five minutes the Mountain Meadows Massacre was made a horrible fact of history.*

Only three men escaped the first deadly assault, and these were followed to the desert and killed.³³ Seventeen

33. There is some conflict as to the number of men who escaped the first assault. Lee says three escaped, but Indians were put upon their trail and they overtook and killed them (*Mormonism Unveiled*, p. 244). Forney reports that three escaped, but they were overtaken and killed. (*Senate Documents*, 36th Congress, 1st Session, ii, No. 42, p. 89). Cradlebaugh says two escaped and fled to the desert, but were followed and finally overtaken and killed, one of them 150 miles from the Meadows. (*Congressional Globe*, Appendix, 37th Congress, 1862-3, p. 123). Burton condensing from official reports tells of three escaping from the first assault, but being taken and killed. (*City of the Saints*, p. 340, note).

young children were all that were saved from the slaughter. From one hundred and fifteen to one hundred and twenty men, women and older children were slain, and then given but an imperfect burial.

DISPOSITION OF THE VERY YOUNG CHILDREN AND THE PROPERTY

The children that were saved were distributed among the settlers, but two years later they were gathered up by Mr. Jacob Forney, who succeeded Brigham Young as Indian agent for the territory of Utah, and were sent east where, as far as possible, they were given in charge of relatives or friends of the ill-fated emigrants, congress having in the meantime appropriated the sum of \$10,000 for their recovery and restoration;³⁴ but most of them were received into and cared for by a child's orphanage in St. Louis.

The property of the emigrant company was seized upon by both Indians and white men, some of it being sold in Cedar, at public auction, and referred to as the "property taken at the siege of Sevastopol."³⁵ The same authority mentions a report that Lee, Haight, and Klingensmith counseled with Brigham Young "about what should be done with the property. They took with them the ready money

34. See Bancroft's *History of Utah*, pp. 557-8, and Forney's Report in *Senate Documents*, 36th Congress, 1st Session, ii, No. 42, *passim*, Appendix, p. 123. Relative to the charge made by some anti-"Mormon" writers that the children were ill-cared for and poorly clad by the people who had charge of them in Utah, it is only necessary to quote Forney's report on this point: "It is proper to remark that when I obtained the children they were in a better condition than children generally in the settlements in which they lived." (*Senate Documents*, 36th Congress, 1st Session, ii, No. 42, pp. 87, 89). All the official reports deny the charge that the children were left in the custody of the Indians.

35. Letter of Major James H. Carleton to Major W. W. Mackall, assistant adjutant general, U. S. A., San Francisco, Cal., from Mountain Meadows, date of May 25, 1859, *Hand Book of Mormonism*, p. 67, *et seq.* "The property of the emigrants was taken to Cedar, where it was put up at public auction and sold." (Report of Captain R. P. Campbell to Major F. J. Porter, *Senate Documents*, 36th Congress, 1st Session, vol. ii, p. 208). Hon. George A. Smith's report to Brigham Young states concerning the conduct of the Indians in seizing upon the emigrant property that on the arrival of Colonel Haight at the Meadows he found "the Indians were pillaging and destroying the property, and driving off the cattle in every direction; each one endeavoring to secure to himself the most plunder, without respect to others. When they had secreted one back load in the hills, they returned and got another, thus continuing with the most unremitting energy till everything was cached." (*History of Brigham Young, Ms.*, 1857, pp. 481-9).

they got from the surrender of the emigrants and offered it to Young. He said he would have nothing to do with it. He told them to divide the cows and cattle among the poor. They had taken some of the cattle to Salt Lake City when they went up, and after the talk with Brigham they sold these to the merchants there. Lee told Brigham that the Indians would not be satisfied if they did not have a share of the cattle. Brigham left it to Lee to make the distribution."³⁶ Of course these were merely the rumors current in southern Utah at the time (1859) Major Carleton wrote this letter from Mountain Meadows. In his deposition admitted in evidence at the second Lee trial, on the subject of the distribution of this property, President Young said:

"Eleventh Question—Did you ever give any direction concerning the property taken from the emigrants at the Mountain Meadows massacre, or know anything as to its disposition?

Answer—No, I never gave any directions concerning the property taken from the company of emigrants at the Mountain Meadows massacre, nor did I know anything of that property, or its disposal, and I do not to this day, except from public rumor."³⁷

36. Carleton's Report. Also *Life in Utah*, Beadie, p. 184, and Stenhouse in *Rocky Mountain Saints*, p. 452; and Cradlebaugh's speech, *Congressional Globe*, 37th Congress, 3rd Session, Appendix, p. 123.

37. *Court Record*, second Lee trial, Sept., 1876, Deposition of Brigham Young.

CHAPTER CI

RESPONSIBILITY FOR THE MOUNTAIN MEADOWS MASSACRE

RESPONSIBILITY for the Mountain Meadows Massacre is a subject of gravest importance. About two weeks after the tragedy, being urged thereto by Isaac C. Haight, John D. Lee visited Salt Lake City to report what had been done at Mountain Meadows to Governor Young. According to Lee's statement, he made a full report of all that had been done.¹ According to Governor Young's deposition at the second trial of Lee, he (Governor Young) refused to hear the story in detail.²

Wilford Woodruff was present at this interview, and at the time set down in his most excellent daily journal what took place, and this may be relied upon as being more accurate than anything that would be remembered in subsequent years. Following is his record of the interview:

"29th [September, 1857]. We have another express in this morning, saying that the army are rapidly marching towards us, will soon be at Bridger, and they wish men immediately sent out. Elder John D. Lee also arrived from Harmony with an express and an awful tale of blood. A company of California emigrants, of about 150 men, women and children, many of them belonging to the mob in Missouri and Illinois, had been massacred. They had many cattle and horses with them. As they traveled along south, they went damning Brigham Young, Heber C. Kimball and the heads of the church, saying that Joseph Smith ought to have been shot a long time before he was. They wanted to do all the evil they could, so they poisoned beef and gave it to the Indians, and some of them died. They poisoned the

1. Lee's Confession in *Mormonism Unveiled*, p. 252.

2. From the Deposition of Brigham Young, second trial of John D. Lee, 1876, "Ninth Question: Did John D. Lee report to you at any time after this massacre what had been done at that massacre, and if so, what did you reply to him in reference thereto?"

Answer: Within some two or three months after the massacre he called at my office and had much to say with regard to the Indians, their being stirred up to anger and threatening the settlements of the whites, and then commenced giving an account of the massacre. I told him to stop, as from what I had already heard by rumor, I did not wish my feelings harrowed up with a recital of details." (*Court Record, the second Lee trial, Sept., 1876, Deposition of Brigham Young*).

springs of water, several of the saints died. The Indians became enraged at their conduct and they surrounded them on the prairie, and the emigrants formed a bulwark of their wagons, and dug an intrenchment up to the hubs of their wagons, but the Indians fought them five days until they killed all the men, about sixty in number. They then rushed into their corral and cut the throats of the women and children, except some eight or ten children which they brought and sold to the whites. They stripped the men and women naked and left them stinking in the boiling sun. When Brother Lee found it out he took some men and went and buried their bodies. It was a horrid, awful job. The whole air was filled with an awful stench. Many of the men and women were rotten with [unnameable disease] before they were hurt by the Indians. The Indians obtained all the cattle and horses and property, guns, etc. There was another large company of emigrants who had 1,000 head of cattle, who was also damning both the Indians and the 'Mormons.' They were afraid of sharing the same fate, and Brother Lee had to send interpreters with them to the Indians to help save their lives, while at the same time they were trying to kill us. We spent most of the day in trying to get the brethren ready to go to the mountains [i. e. brethren going out to resist the approach of Johnston's army]. Brother Brigham while speaking of the cutting of the throats of women and children by the Indians down south, said that it was heart-rending; that emigration must stop, as he had before said. Brother Lee said that he did not think there was a drop of innocent blood in their camp, for he had two of the children in his house, and he could not get but one to kneel down in prayer-time, and the other would laugh at her for doing it, and they would swear like pirates. The scene of blood has commenced, and Joseph said that we should see so much of it that it would make our hearts sick."³

From this statement of *Woodruff's Journal*, as also from President Young's own deposition in which he states that he refused to hear Lee's story in detail, it is clear that Brigham Young, unfortunately, as I think, did not then get the full account of the great crime. Also it is to be noted that John D. Lee most likely was not anxious to tell the whole story of white men's presence and responsibility in the massacre, as he had to be "urged" by Isaac C. Haight to report the affair to Brigham Young at all, although Lee was the local Indian agent, and Haight had no connection with that department. It is quite evident from Woodruff's account of the interview of Lee and Governor Young that the former did

3. *Woodruff's Journal*, Sept. 29, 1857.

not report any white men as being connected with or responsible for the massacre.

It appears from all the circumstances that it was the intention of the white men engaged in the tragedy to place the responsibility for it upon the Indians. This is emphatically the assumption of the formal report made by George A. Smith to President Young in 1858, about one year after the event; as will be observed from the following letter which I quote entire because of the civil and ecclesiastical standing of its author; for he was not only one of the apostles' quorum in the church, but also he was a member of the legislature—to the council—from the district in which the unfortunate affair had occurred; and his letter was in the nature of a report from a member of such "council district."

LETTER OF GEORGE A. SMITH TO PRESIDENT BRIGHAM
YOUNG

"Parowan, Aug. 17, 1858.

President Young,

Dear Sir:—I have recently canvassed the precincts in my council district. I have been enthusiastically received, and listened to by the people, with seeming pleasure. I have gathered some information in relation to the difficulties between the emigrants and Indians, which terminated in the horrible massacre at Mountain Meadows.

It appears that the emigrants, who passed over this route last fall, conducted themselves in a hostile manner towards the Indians, as well as the citizens. While at Fillmore they threatened the destruction of the town, and boasted of their participation in the murders and other outrages that were inflicted upon the 'Mormons' in Missouri and Illinois.

While camping at the sink of Corn Creek, fifteen miles beyond Fillmore, they poisoned the springs and the body of an ox which had died. The carcass of the ox was eaten by a band of Piedes from the desert, who were on a visit to the Pahvantes.

I was informed, by the people living at Meadow Creek, the nearest settlers to Corn Creek, that ten Indians died from eating this poisoned meat, and that a considerable number of cattle also died from the poisoning of the water. Some of these cattle were fat and the owners "tried them up" to save the tallow. A son of Mr. Robinson, of Fillmore, was poisoned from the handling of the meat, and died. Among the cattle that died of the poison, were some belonging to the Hon. John A. Ray. He being in Europe, Mrs. Ray attended to the saving

of the tallow and was so poisoned as to endanger her life, and permanently injure her hand.

This party of emigrants consisted of some fifty or sixty men. They were attacked in the fore part of September by Indians, near what is called the 'Cane Spring,' about forty-five miles beyond Cedar City, which was the most southern settlement of any importance on the way to California.

While passing through the lower settlements the emigrants boasted of their participation in the expulsion of the 'Mormons' from Missouri, and threatened to stop at some convenient point, and fatten their stock, that when the United States troops should arrive, the emigrants would have plenty [of] beef to feed them with, and would then help to kill every 'God damned Mormon' that there was in the mountains.

This course of conduct on their part, coupled with the rumor which they spread, that some four or five hundred Dragoons were expected through on the Fremont trail, whom they would join, caused them to be regarded by the settlers with a feeling of distrust.

When the attack was made upon the emigrant party, the Indians sent out runners to the various bands in every direction, to gather additional help. The news reached the settlement at Cedar through this means. Ahwonup, the Piede chief at Parowan, received an invitation to join the foray against the emigrants. He went to Colonel Dame, to tell him what he was going to do, upon which the colonel succeeded in inducing him and most of his warriors to abandon the project.

At this time another company of emigrants fired upon a party of Pahvantes in the neighborhood of Beaver, some thirty-five miles north of Parowan, and wounded one of them. This occurrence created so much excitement among the Pahvantes of that region, that they were determined to exterminate those emigrants, which was only prevented by a detachment of militia sent from Parowan, by Colonel Dame, who effected a compromise with the Indians, and guarded that company safely from that place to the Vegas, some three hundred miles.

No news of the attack at the Mountain Meadows had reached Parowan except the Indian rumor, until it was too late for Colonel Dame to take any measures to relieve the company, which was some sixty miles distant.

On the 6th of September I understand that rumor reached Cedar that the emigrant train had been attacked in camp by the Indians at Mountain Meadows, that several of the emigrants and Indians had been killed and others wounded, and that more Indians were gathering from various parts in considerable numbers, being very much exasperated.

Immediately upon the arrival of this intelligence, Major Haigist dispatched some interpreters to conciliate the Indians. The interpreters left Cedar the same evening, and when they arrived the next day at the scene of the difficulty, they found the Indians in a state of intense excitement, in consequence of the killing and wounding of some of their men. The interpreters sought to conciliate them, but they threatened them with death if they did not either leave immediately, or turn in and

help them, accusing them of being friendly to the emigrants, or 'Merocats,' as they called them. The Indians said that if the interpreters attempted to go to the emigrants' camp, they would kill every one of them. Finding that their services could avail the emigrants nothing, the interpreters returned to Cedar, after a ride of some 80 miles on the same animals, and dallying most of the day with the Indians, and reported the condition of the camp.

On the 9th Major Haight, with a party of about 50 men, started from Cedar City to endeavor to relieve the emigrants, and arriving at Mountain Meadows the next morning, found the Indians had killed the entire company, with the exception of a few small children, who were with difficulty obtained from them. The Indians were pillaging and destroying the property and driving off the cattle in every direction; each one endeavoring to secure to himself the most plunder, without respect to the others. When they had secreted one back load in the hills, they returned and got another, thus continuing with the most un-remitting energy, till everything was cached.

Major Haight and party found the bodies of the company stripped of their clothing, and scattered along the road for half a mile. The party obtained a few spades from a ranch about six miles distant, and buried the dead as well as they could, under the circumstances. The ground was hard, and the party being destitute of picks, and having but a limited number of spades, the pits could not be dug to a very great depth.

From the appearance of the camp ground the wagons, previous to the attack were scattered promiscuously, but the emigrants, upon being attacked, gathered most of them into a close circle, inside of which they dug two rifle pits.

It appears that on the 9th the Indians withdrew from the siege; that, towards evening, the emigrants left their camp and started back towards Hamblin's ranch, and that after proceeding about half a mile and one (sic!), they were again attacked and slain except the children above mentioned.

It is reported that John D. Lee, and a few other white men were on the ground during a portion of the combat, but for what purpose, or how they conducted themselves, or whether, indeed, they were there at all, I have not learned.

It is supposed that there were upwards of two hundred warriors engaged in this massacre. A large number of the emigrants were killed with arrows, the residue with bullets, the Indians being armed with guns, as well as bows and arrows.

The Indians also killed some horses and a large number of cattle which lay scattered over the plain. This was probably done in accordance with their custom requiring a sacrifice to be sent along with their departed warriors.

Some sixteen or eighteen children were preserved from death, and placed in the charge of families, where they were well cared for. The prejudice that these emigrants had themselves excited during their passage through the territory, contributed not a little to inspire in the

minds of the people an indifference as to what the Indians might do, but nobody dreamed of or anticipated so dreadful a result. There were not a dozen white men living within thirty miles of the spot where this transaction occurred; and they were scattered, two or three in a place, herding cattle. Mr. Hamblin, the nearest settler, was in Great Salt Lake City at the time, and the stock at his ranch was in the custody of his children and two or three Indian boys.

It was the impression of Major Haight that the interpreters would succeed in bringing about a compromise to enable the emigrants to buy the Indians off. For the citizens to have attacked and killed the Indians, in defense of the emigrants, would have been little less than suicide, as you are well aware of the exposed condition of the southern settlers, and the annoyance to which the Indians, who had been subjected for many years by emigrants killing them, as they passed through the Indian country.

I have been told that since this transaction many of the Indians who had previously learned to labor have evinced a determination not to work, and that the moral influence of the event upon the civilization of the Indians has been very prejudicial.

Considerable improvements have been made in every settlement, except Cedar, during my absence from this district. The failure of the iron company to make iron satisfactorily has caused a large number of the operatives in that department to seek employment elsewhere, thereby much reducing the population of that city.

I have given you the substance of the information I have received from various individuals during my canvass, and I regret exceedingly that such a lamentable occurrence should have taken place, within the limits of this territory.

Your friend and well wisher,

[Signed] "Geo. A. Smith."⁴

Three things in this semi-official communication, apart from the general implication and assumption that the deed of which it treats was altogether the work of the Indians, and those three things tend to disprove the main idea in the report that the massacre was the sole work of the Indians: These are, first, that "sixteen or eighteen children were preserved from death." This is not customary for Indians to do in war or in their murders; they do not spare children—*especially of uniformly young age, as in this case*; that was not the act of savages. Second, the demoralizing effect the massacre had upon the Indians: "Since the transaction [i. e. massacre]

4. *History of Brigham Young, Ms.*, entry for Aug. 17, 1858, pp. 929-937.

many of the Indians who had previously learned to labor have evinced a determination not to work; * * * the moral influence of the event upon the civilization of the Indians has been very prejudicial!" Inevitable consequence! For they had seen that their white neighbors, instructors in industry, had been capable of an act of treachery and savagery equal to their own, even if not more treacherous and murderous. Surely there could be no more white man's moral and spiritual influence over the red men after what the latter had witnessed at Mountain Meadows! Third, the cautious admission that "report" gave it out that John D. Lee and some other white men were present at the affair: "It is reported that John D. Lee and a few other white men were on the ground during a portion of the combat, but for what purpose, or how they conducted, or whether indeed they were there at all, I have not learned." This a year after the crime was perpetrated; and is the only indication from the whole report that white men were present at the massacre! But previous to this, and "soon after" the event, the presence of Lee and other white men at the massacre and even somewhat of their participation in it had been made known in Salt Lake City.

TESTIMONY OF JACOB HAMBLIN

Jacob Hamblin, a reputable witness, testified at the second Lee trial that "soon after it [the massacre] happened," he reported to Brigham Young and George A. Smith what Lee had told him of the affair; of the part that white men had taken in it; and that in greater detail than he had given it, or was able to give in his testimony in court, because he then more clearly remembered it; and that Brigham Young said to him that "as soon as we can get a court of justice we will ferret this thing out, but till then, don't say anything about it."⁵ All this seems to have been forgotten in the Smith "report."

5. *Court Record*, Lee's second trial, testimony of Jacob Hamblin.

It must be remembered that at the time of Hamblin's report everything was in a state of *chaos* in Utah; an army was within the borders of the territory on the east, the purpose of which was not clearly known; the territory was under martial law by proclamation of the governor *de facto*, Brigham Young; and the people were making preparations for the destruction of their settlements and another flight into the wilderness. Hamblin makes an important statement in his biography respecting the action of Governor Young in regard to this tragedy, locating the incident to be related as happening "soon after the United States Army had entered Salt Lake valley;" and the army entered the valley on the 26th of June, 1858.

Following is the incident which occurred:

ATTITUDE OF GOVERNOR CUMMING ON THE MATTER OF INVESTIGATING THE MASSACRE

"It is generally known that the enemies of the Latter-day Saints have accused them of shielding from justice the white men, who, it was supposed, joined with the Indians in the Mountain Meadows Massacre. Mr. Cumming succeeded President Brigham Young as governor of Utah territory in the early spring, before the arrival of the United States army in Salt Lake valley.

President Brigham Young requested Elder George A. Smith to have an interview with the new governor, and learn his views concerning the Mountain Meadows Massacre, and assure him that all possible assistance would be rendered the United States courts to have it thoroughly investigated.

Brother Smith took me with him, and introduced me as a man who was well informed regarding Indian matters in southern Utah, and would impart to him any information required that I might be in possession of. He also urged upon Governor Cumming the propriety of an investigation of this horrid affair, that, if there were any white men engaged in it, they might be justly punished for their crimes.

Governor Cumming replied that President Buchanan had issued a proclamation of amnesty and pardon to the 'Mormon' people, and he did not wish to go behind it to search out crime.

Brother Smith urged that the crime was exclusively personal in its character, and had nothing to do with the general officers of the territory, and, therefore, was a fit subject for an investigation before the United States courts.

Mr. Cumming still objected to interfering, on account of the president's proclamation.

Brother Smith replied substantially as follows: 'If the business had not been taken out of our hands by a change of officers in the territory, the Mountain Meadows affair is one of the first things we should have attended to when a United States court sat in southern Utah. We would see whether or not white men were concerned in the affair with the Indians.'"⁶

PRESIDENT YOUNG'S OWN ANSWER TO ALLEGED DELAY OF ACTION
IN THE CASE

The reasons for Brigham Young not acting more promptly and vigorously in the matter, and the general conditions then prevailing in the territory are thus stated by himself in his deposition admitted in evidence at the second Lee trial:

"Twelfth Question—Why did you not, as governor, institute proceedings forthwith to investigate that massacre, and bring the guilty authors thereof to justice?

Answer—Because another governor had been appointed by the president of the United States, and was then on the way to take my place, and I did not know how soon he might arrive, and because the United States judges were not in the territory. Soon after Governor Cumming arrived, I asked him to take Judge Cradlebaugh, who belonged to the southern district, with him and I would accompany them with sufficient aid to investigate the matter and bring the offenders to justice."

PRESIDENT YOUNG'S REPORT TO THE INDIAN DEPARTMENT

It is often charged that Brigham Young made no report of this massacre to the government; he at least made such report of it as John D. Lee, in his capacity as farmer to the Indians in the locality where the event occurred, sent to him in writing. Governor Young had made a report on general conditions and current accounts to the Indian department at Washington on Sept. the 12th, 1857. Lee supplemented his verbal report to Governor Young—already considered,—by a written one from Harmony, his home in Iron county, under date of November 20th, 1857, in which the Lee version of the massacre was given.

6. Jacob Hamblin, *A Narrative of His Personal Experiences*, edited by James A. Little, 1881, pp. 56-7.

The written report of Lee so far as it relates to the Arkansas company of emigrants is as follows:

"HARMONY, WASHINGTON CO., U. T., November 20th, 1857.
To His Excellency Governor B. Young, Ex-Officio and Superintendent of Indian Affairs:

DEAR SIR:—My report under date, May 11th, 1857, relative to the Indians over whom I have charge as farmer, showed a friendly relation between them and the whites, which doubtless would have continued to increase had not the white *mans* (sic!) been the first aggressor, as was the case with Captain Fancher's company of emigrants, passing through to California about the middle of September last, on Corn Creek, fifteen miles south of Fillmore City, Millard county. The company there poisoned the meat of an ox, which they gave the Pahvant Indians to eat, causing four of them to die immediately, besides poisoning a number more. The company also poisoned the water where they encamped, killing the cattle of the settlers. This unguided [sic!] policy, planned in wickedness by this company, raised the ire of the Indians, which soon spread through the southern tribes, firing them up with revenge till blood was in their path, and as the breach, according to their tradition was a national one, consequently any portion of the nation was liable to atone for that offense.

About the 22nd of September, Captain Fancher and company fell victims to their wrath, near Mountain Meadows; their cattle and horses were shot down in every direction, their wagons and property mostly committed to the flames."⁷

Then in an official letter to Hon. James W. Denver, commissioner of Indian affairs, Washington City, D. C., under date of January 6th, 1858, Governor Young as superintendent of Indian affairs, quoted as follows from Lee's report:

" 'About the 22nd of September, Captain Fancher & Co. fell victims to the Indians' wrath near Mountain Meadows. Their cattle and horses were shot down in every direction; their wagons and property mostly committed to the flames. "

This quotation the governor followed by the following comments:

"Lamentable as this case truly is, it is only the natural consequence of that fatal policy which treats the Indians like the wolves, or other ferocious beasts. I have vainly remonstrated for years with travelers against pursuing so suicidal a policy, and repeatedly advised the government of its fatal tendency. It is not always upon the heads of the individuals who commit such crimes that such condign punishment

7. From Lee's Report, *Mormonism Unveiled*, p. 255. The faulty diction of the original is followed.

is visited, but more frequently the next company that follows in their fatal path become the unsuspecting victims, though peradventure perfectly innocent."⁸

THE PASSAGE OF "DUKE'S TRAIN" THROUGH UTAH UNDER MILITIA PROTECTION

Following the ill-fated Arkansas company, came one several days later of about the same size, captained by a man of the name of — Duke, and hence it was known as "Duke's Train." They had some trouble with the Indians near Beaver. Lee's written report to Governor Young, which mentions the Mountain Meadows affair—quoted above—states that Duke's company "had many of their [the Indians] men shot down near Beaver City;⁹ and had it not been for the interposition of the citizens at that place, the whole company [Duke's] would have been massacred by the enraged Pahvantes." From this place they were protected by military force, by order of Colonel W. H. Dame, through the territory, besides providing the company with interpreters, to help them through to the Las Vegas. On the Muddy, some three to five hundred Indians attacked the company, while traveling, and drove off several hundred head of cattle, telling the company that if they fired a single gun that they would kill every soul. The interpreters tried to regain the stock, or a portion of it, by presents, but in vain. The Indians told them to mind their own business, or their lives would not be saved. "Since that occurrence no company has been able to pass without some of our interpreters to talk and explain matters to the Indians."¹⁰

Hon. George A. Smith also reports this second company:

8. These reports of Brigham Young are published at length in the *Court Records*, second trial of John D. Lee, Sept., 1876, also in *Mormonism Unveiled*, pp. 302-16; these letters also appear in *House Executive Documents*, 35th Congress, 1st Session, vol. x, No. 71. For interesting incident in connection with a member of the Fancher family, see *Note* end of chapter.

9. Evidently Lee reported what rumors had brought to him of this incident; George A. Smith reports, as will be seen by a paragraph in his letter (*ante*), that the Beaver shooting resulted in only one Indian being wounded.

10. Lee's written report to Governor Young, from Harmony, under date of Nov. 20th, 1857.

"At this time [i. e., about the time of the massacre] another company of emigrants fired upon a party of Pahvantes in the neighborhood of Beaver, some thirty-five miles north of Parowan, and wounded one of them. This occurrence created so much excitement among the Pahvantes of that region, that they were determined to exterminate those emigrants, which was only prevented by a detachment of militia sent from Parowan by Colonel Dame who effected a compromise with the Indians, and guarded that company safely from that place to the Vegas, some three hundred miles."¹¹

This company is also spoken of by Jacob Hamblin, and he it was who selected the interpreters to go with the emigrants through the Indian country. The Indian tribes on the Muddy, however, taxed Duke's company heavily in cattle for the otherwise peaceful passage through their country, taking from them four hundred and eighty head, but the company continued its journey in safety to California, while the two interpreters, "Brothers Knight and Leavitt," who had safely conducted them beyond danger, returned to the Santa Clara settlements. "As soon as possible," says *Hamblin's Narrative*, "I talked with the principal Indians engaged in this affair, and they agreed that the stock not killed should be given up. I wrote to the owners in California, and they sent their agent, Mr. Lane, with whom I went to the Muddy, and the stock was delivered to him as the Indians had agreed."¹²

Still later in the autumn of 1857, Hamblin piloted safely through the southern Indian country a company made up chiefly of merchants who had been doing business in Salt Lake City; but who, not desiring to be involved in the difficulties between the "Mormons" and the United States, then pending, were now fleeing to the eastern states *via* California and the Isthmus of Panama. The company carried with them a letter from Brigham Young to Hamblin directing him to see that the company was safely conducted to California, which was done.¹³

11. *History of Brigham Young, Ms.*, entry Sept. 9, 1857, pp. 481-89.

12. *Jacob Hamblin, A Narrative of his Personal Experiences, etc.*, p. 47.

13. *Jacob Hamblin, etc.*, ch. vii.

FORNEY'S REPORT ON WHITE MEN BEING RESPONSIBLE FOR THE MASSACRE

When the new United States judiciary for the territory of Utah, who, with Alfred Cumming as governor of the territory, were finally installed in their offices;¹⁴ and when through the investigation of Indian Agent Jacob Forney he reported that "the massacre in question was concocted by white men and consummated by whites and Indians," it could but follow that the judiciary would seek to bring to judgment the guilty parties, notwithstanding the attitude assumed by Governor Cumming in refusing to investigate the matter as represented by Jacob Hamblin, and President Young. Accordingly Judge Cradlebaugh, to whom was assigned the southern judicial district, and who held his first term of court at Provo, opening on the 8th of March, 1859, called the attention of the grand jury he impanelled to the Mountain Meadows Massacre and also to some other homicides that had been committed at Springville, in Utah county. "*To allow these things to pass over gives a color as if they were done by authority,*" said the judge significantly and accusingly; and then added:

"The very fact of such a case as that of the Mountain Meadows shows that there was one person high in the estimation of the people, and it was done by that authority; and this case of the Parrishes [The Springville homicides] shows the same; and unless you do your duty, such will be the view that will be taken of it. You can know no law but the laws of the United States and the laws you have here. No person can commit crimes and say they are authorized by higher authorities, and if they have any such notions they will have to dispel them."¹⁵

This was proceeding upon an unwarranted assumption, and of course gave offense. The grand jury not moving with that alacrity in these matters that the impatience of the judge demanded, after two weeks in session, and while still in de-

14. The new judiciary were D. R. Eckles, of Indiana, chief justice; Charles E. Sinclair and John Cradlebaugh, associate justices; Alexander Wilson, of Iowa, was United States attorney for the territory, and Peter K. Dotson, Marshal.

15. Judge Cradlebaugh to the Grand Jury, the charge is published in full in *Deseret News* of March 16th, 1859.

liberation, they were summoned into court, roundly lectured by his honor and summarily discharged "as an evidently useless appendage of a court of justice."¹⁶ The judge announced that the court would "think of the propriety of venireing another grand jury," and concluded as follows:

"When this people [meaning the Mormons] come to their reason, and manifest a disposition to punish their own high offenders, it will be time to enforce the law also for their protection. If this court cannot bring you to a proper sense of your duty, it can at least turn the savages in custody loose upon you."¹⁷

The grand jury failing to indict according to the suggestions of the judge of the district, the court proceeded to issue bench warrants based upon sworn information, and the United States marshal for the territory aided by a military *posse* made some arrests of parties charged with committing the Springville homicides, and doubtless a like policy was intended to be pursued with reference to the perpetrators of the Mountain Meadows Massacre.

In the evident furtherance of such a project Judge Cradlebaugh, after closing his term of court at Provo, accompanied by a small detachment of United States troops, commanded by Captain Reuben P. Campbell, and by a deputy marshal, visited the southern part of the territory, including

16. The words are from Judge Cradlebaugh's speech in the house of representatives, February 7th, 1863, *Congressional Globe*, 37th Congress, 3rd Session, Appendix, p. 122. Judge Cradlebaugh subsequently to being a judge in Utah, went to Nevada to live, from which newly made territory he was elected to be territorial delegate, and hence his speech in congress.

17. The remarks of Judge Cradlebaugh to the grand jury are published at length in *Deseret News* of March 30, 1859, and as corrected from a stenographic report by Mr. J. V. Long. Stenhouse says, "the grand jury would not have listened to such language had there been no foundation for the accusations" (*Rocky Mountain Saints*, p. 408). The fact is the grand jury did *not* listen to the judge without protest. "A remonstrance signed by the grand jury without a dissenting voice against Judge Cradlebaugh's unprecedented course in peremptorily and vindictively discharging them when about consummating the business before them," says the editor of the *News*, in a note immediately following the full statements of Judge Cradlebaugh to the jury, "*was presented*;" it appears in the same impression of the *News* as the Editorial. (vol. ix, p. 28). Besides Stenhouse's quotation from Judge Cradlebaugh in which he censures the jury for not resenting, were not addressed to the grand jury, but were the summing up of the evidence in the Springville murder cases. (Stenhouse's *Rocky Mountain Saints*, p. 408; cf., *Deseret News*, impression of April 6th, 1859, *Court Record*).

the Santa Clara valley, Mountain Meadows, Cedar City and all the surrounding settlements. *En route* the judge met the Indian Agent Forney returning from his investigations, with the surviving children of the massacre. Forney gave to Judge Cradlebaugh the names of a number of white men reported to be prominent in the affair at the Meadows. The judge and his deputy marshal made inquiries among the Indian tribes of the Santa Clara, and of the people at Cedar, and surrounding settlements, with the result that a formidable list of the names of men prominent in military, civil, and ecclesiastical life were enrolled as being connected with the tragedy.¹⁸ At this juncture, however, Captain Campbell's command was recalled by the commanding General A. S. Johnston, as by instruction from the war department at Washington, "the services of the army in connection with the civil affairs of this territory—are to be invoked only to assist in the 'execution of the sentences of the law, or the judicial decrees of the court;' and then only on the written application of the governor when the service of a civil posse are found to be insufficient."¹⁹ This put an end to the judge's overzealous civil-military activities as associate justice of Utah. He soon afterwards was appointed over the judicial district that included Carson valley, where he became one

18. Judge Cradlebaugh claims that while at Cedar City he "was visited by a number of apostate Mormons," who gave him "every assurance that they would furnish an abundance of evidence in regard to the matter, as soon as they were assured of military protection." "While there," he also says, "I issued warrants on affidavits filed before me for the arrest of the following named persons; Jacob [Isaac C.] Haight, president of the Cedar City stake; Bishop John M. Higbee, and Bishop John D. Lee [Lee never was, at any time or place, a "Mormon" bishop, though he was an "elder," and had presided over a small settlement or branch of the church], Columbus Freeman, William Slade, John Willis, William Riggs, ——— Ingram, Daniel McFarlan, William Stewart, Ira Allen and son, Thomas Cartwright, E. Welean, William Halley, Jabez Nomlen, John Mangum, James Price, John W. Adair, ——— Tyler, Joseph Smith, Samuel Pollock, John McFarlan, Nephi Johnson, ——— Thornton, Joel White, ——— Harrison, Charles Hopkins, Joseph Flang, Samuel Lewis, Sims Matheny, James Mangum, Harrison Pierce, Samuel Adair, F. C. McDulange, William Bateman, Ezra Curtis, and Alexander Loveridge. (*Congressional Globe*, 37th Congress, 3rd Session, Appendix, p. 123).

19. For Campbell's Report, see *Senate Documents*, 36th Congress, 1st Session, vol. ii, No. 56, p. 190; also No. 64, pp. 205-208; also Cradlebaugh's speech, 37th Congress, 3rd Session, Appendix, p. 123.

of the prime movers in the creation of the territory of Nevada from the western half of Utah, and was twice elected delegate to congress from the new territory; and in the national house of representatives continued his anti-“Mormon” attacks upon the leaders of the Church of the Latter-day Saints in the matter of the Mountain Meadows affair.²⁰

Of this Cradlebaugh effort to probe into the Mountain Meadows affair, Agent Forney, who, earlier in the summer of 1859, had been zealous in the support of Judge Cradlebaugh,²¹ in a letter to the commissioner of Indian affairs at Washington, in August, wrote:

*“I fear, and I regret to say it, that with certain parties here there is a greater anxiety to connect Brigham Young and other church dignitaries with every criminal offense than diligent endeavor to punish the actual perpetrators of crime.”*²²

That continued to be the sentiment of those who manifested any interest in the matter of the Mountain Meadows affair; but fourteen years will pass away before another official agitation of the matter occurs, and eighteen years before the most conspicuous leader in that horrible crime is led to the Mountain Meadows by officers of the law and the death sentence of the court executed upon him at the scene of his great crime.²³ Of all those who participated in the massacre he alone was brought to execution. How meager the retribution in this world when weighed against the repulsive perfidy practiced against those emigrants, and the largeness of the crime! But the end is not yet—“the murderer hath

20. See his speeches in the 37th Congress, *passim*; and especially in 3rd Session, *Congressional Globe*, Appendix, p. 119, *et seq.*

21. See his letter to General Johnston, May 1st and June 15th, 1859, *Senate Documents*, 36th Congress, vol. ii, pp. 172-3. See also his letter to Judge Elias Smith in *Deseret News* of May 11th, 1859; in which he says of the Mountain Meadows Massacre: “I deem it my imperative duty to say that the Indians had material aid and assistance from whites; and in my opinion, the Pi-Ute Indians would never have perpetrated the terrible massacre without such aid and assistance. Mr. Hamblin and others, of Santa Clara, expressed much anxiety to bring the guilty to justice.”

22. *Senate Documents*, 36th Congress, 1st Session, ii, No. 2, p. 86; also quoted by Bancroft's *History of Utah*, p. 561.

23. Lee was executed on the 23rd of March, 1877.

never forgiveness:" "Vengeance is mine, I will repay, saith the Lord;"²⁴ and in his own time and way he will doubtless be the minister of his own retribution. "Some men's sins are open before hand, going before to the judgment, and some men they follow after."²⁵ This much, and only this need to be said here, both in respect of this great crime of the Mountain Meadows and of other deeds of blood perpetrated in those troubled, and unsettled years of Utah's history,²⁶ when men's worst passions were highly wrought upon by memories of past injustice, and by threatening portents of oppression yet to come—of all this it will be enough to say, let the finger of accusation point at whom it may, and the just verdict of history pronounce guilty whom it will, this

24. *Rom. xii:19*. These were the words which Major James H. Carleton caused to be inscribed upon a rude wooden cross he erected above the cairn that marked the burial place of the Arkansas emigrants; but which later was destroyed either by some vandal's hand or the ruthless ravages of time; the cross has fallen and nothing now marks the resting place but the ruck of stones, placed above the common grave of the emigrants by United States troops some two years after the massacre (see Report of Charles Brewer, ass. surgeon U. S. A., to Captain R. P. Campbell, *Senate Documents*, 36th Congress, 1st Session, vol. ii, pp. 206-7; Judge Cradlebaugh's speech, in the 37th Congress, 3rd Session, *Congressional Globe*, Appendix, p. 123). The destruction of this inscription is unjustly connected by the judge with President Young's first visit to southern Utah after it was erected, (1861), (*Ibid*). It is also said that when Brigham Young read the inscription on that occasion, he "changed the purport of its language, and said to those around him that it should read thus: 'Vengeance is mine, saith the Lord, and I have repaid!'" (Stenhouse's *Rocky Mountain Saints*, p. 453; see also Woodruff's *Journal*, entry for May 25, 1860).

25. *1 Tim.*, v:24.

26. This has reference to some homicides committed at Springville in Utah county, in March, 1857. The victims were members of the Parrish family, and the deed was committed on the eve of the intended departure of the family for California. Also to the killing of the Aiken party, in 1857. The party received its designation from two brothers of the name of Aiken, who, with four other men, were returning from California to the eastern states. Four of the party were arrested in southern Utah as "spies," and *en route* for Salt Lake City *via* Nephi the party was attacked at night; two were killed outright, the other two, though wounded, made their way to Nephi, whence they started for Salt Lake, but were killed on their way at Willow Springs. The remark of the text also has reference to all other homicides committed in 1857, and in all antecedent years; whatever was done in that kind was done on the responsibility of the guilty individuals; and in all subsequent years, whatever was done stands upon the same footing. The law of God has not lodged the right of capital punishment with the church. Even where there is a church trial had, and proof given of the worthiness of death, at that point it becomes the duty of the church to turn over those guilty of offenses worthy of death to the law of the land, to be dealt with according to that law, and through its ministers. What the law of God does not authorize the church to do, it has not authorized individuals to do.

much I hold to be clear, the Church of Jesus Christ of Latter-day Saints bears no stain, and carries no responsibility for bloodshed at any time or any place. Her law was announced from the beginning, by the Son of God, saying:

*"Behold, I speak unto the church. Thou shalt not kill; and he that kills shall not have forgiveness in this world, nor in the world to come. And again I say, thou shalt not kill, but he that killeth shall die. * * * And it shall come to pass, that if any person among you shall kill, he shall be delivered up and dealt with according to the laws of the land; for remember that he hath no forgiveness, and it shall be proven according to the laws of the land."*²⁷

Such the law of the church, and whosoever has violated that law of God or whosoever shall violate it in the future, he and not the church which forbids his wickedness, is responsible to God and to the laws of the land for his crime. And when Brigham Young said to Jacob Hamblin, after he had listened to the latter's report of the part Lee and other white men had taken in the crime, *"As soon as we can get a court of justice, we will ferret this thing out, but until then don't say anything about it;"*²⁸ and when later Brigham Young sent Jacob Hamblin and George A. Smith to Governor Cumming—as already detailed in this chapter, to *"learn his views concerning the Mountain Meadows Massacre, and assure him that all possible assistance would be rendered to United States courts to have it investigated;"*²⁹ and when Brigham Young, soon after Governor Cumming arrived in Utah, went to him and *"asked him to take Judge Cradlebaugh, who belonged to the southern district, with him,"* and that he [Brigham Young] would also *"accompany them with sufficient aid to investigate the matter and bring the offenders to justice"*—when President Young did these several things he had up to

27. *Doctrine and Covenants*, sec. xlii. This revelation was given Feb. 9th, 1831.

28. *Court Record*, Hamblin's testimony at Lee's second trial, Sept., 1876. It must be remembered that then, late in 1857, and early in 1858, a United States army was within the northeastern borders of the territory, and "the United States judges were not in the territory." (Deposition of Brigham Young, see *Court Record*, second Lee trial, Sept., 1857).

29. *Jacob Hamblin, A Narrative of His Personal Experiences, etc., etc.*, p. 57.

that time fulfilled his moral obligations to the church and to the state.

In 1870, through some representations made by Elder Erastus Snow and Bishop L. W. Roundy, who had been meantime investigating the crime of the Mountain Meadows, President Brigham Young became convinced of the absolute responsibility of John D. Lee in that affair. Also of Isaac C. Haight's responsibility for failing to restrain Lee and to take prompt action against him, since he was Lee's superior officer in the church. These representations were made to President Brigham Young on the occasion of his visit to the southern settlements in the aforesaid year of 1870; and on his return to Salt Lake City the matter was taken up at the meeting of the twelve apostles, the facts laid before them, and "President Young himself proposed, and all present unanimously voted, to excommunicate John D. Lee and Isaac C. Haight." "President Young gave instructions at that time that John D. Lee should, under no circumstances, ever be again admitted as a member of the church."³⁰

Later, when some of the accused were before the secular court, and Lee was tried and found guilty, Sumner Howard, the prosecuting attorney, in closing his plea in the case against Lee, said:

*"He had had all the assistance any United States official could ask on earth in any case. Nothing had been kept back, and he was determined to clear the calendar of every indictment against any and every actual guilty participator in the massacre, but he did not intend to prosecute any one that had been lured to the Meadows at the time, many of whom were only young boys and knew nothing of the vile plan which Lee originated and carried out for the destruction of the emigrants."*³¹

The report of the deed, at the time it was committed, sent a thrill of horror through the whole community of Utah,

30. See affidavit of Erastus Snow under date of 21st February, A. D. 1882, *Mountain Meadows Massacre*, Penrose, pp. 67, 68. Some mitigating circumstances subsequently were learned respecting Haight's responsibilities in the matter of not restraining Lee, and he was restored to church fellowship.

31. Second Lee trial, 1876, *Court Record*, also *Deseret News* of Sept. 27th, 1876.

and when later developments compelled the belief that white men had taken the leading part in the betrayal and murder of the emigrants, sorrow, humiliation and a sense of shame prevailed. Perhaps the best description of the attitude of mind, and the sentiments of the Latter-day Saints towards this most unfortunate, pitiful and disgraceful affair, was voiced by the late President John Taylor when he said:

"I now come to the investigation of a subject that has been harped upon for the last seventeen years, [this in 1874] viz: The Mountain Meadows Massacre. That bloody tragedy has been the chief stock in trade for the above named time, for penny-a-liners, the press, and pulpit, who have gloated in turns, and by chorus, over the sickening details. Do you deny it? No. Do you excuse it? No. There is no excuse for such a relentless, diabolical, sanguinary deed. That outrageous infamy is looked upon with as much abhorrence by our people as by other parties, in this nation or in the world; and at its first announcement, its loathing recital chilled the marrow and sent a thrill of horror through the breasts of the listeners. It was most certainly a horrible deed; and like many other defenseless tragedies, it is one of those things that cannot be undone. The world is full of deeds of crime and darkness; and a question often arises, who is responsible therefor? It is usual to blame the perpetrators. It does not seem fair to accuse nations, states and communities of deeds perpetrated by some of their citizens, *unless they uphold it.*"³²

And this the Latter-day Saints have never done with respect of this massacre at Mountain Meadows, or other homicides which unhappily have been committed in their communities.

NOTE

A. FANCHER INCIDENT

Elder Orson F. Whitney, author of a four volumed *History of Utah* also the author of *A School History of Utah*, under the title *The Making of a State*, very kindly prepared for the writer of this *History* the following statement of a "Fancher Incident," which shows that family prejudice even may not always blind men to truth.

STATEMENT BY ELDER ORSON F. WHITNEY

"On the 24th and 25th of August, 1912, in company with Elder Joseph W. McMurrin, I attended the Latter-day Saint Big Horn stake conference, held at Cowley, Wyoming. During one of the meetings

32. From a series of letters to the *Deseret News* on "Utah and the Mormons," 1874, impression of April 15th, of that year.

connected with the conference a young man named Fancher, who I believe was clerk of the stake, was invited to the stand to address the congregation. He was about to resign his office, and remove to California, and this was his farewell address to the Latter-day Saints in Big Horn, with whom he had been identified as a member of the church for several years. He had come from Arkansas originally, and in Davis county, Utah, had fallen in with a 'Mormon' family who were about moving to Wyoming. He accompanied them, and subsequently married a 'Mormon' girl, became a convert to her faith, and rendered valuable service as a member of that stake. He was a relative of Captain Fancher, who was killed at Mountain Meadows in 1857, and at one time had shared the bitter prejudice felt by the family toward the 'Mormon' people. He had become convinced, however, that the church was in no way responsible for the awful affair at the Meadows, and that the people, excepting a few hot-headed zealots, who had joined with the Indians, were innocent of any participation in the crime. His conversion to the gospel was genuine. His father, on learning what he had done, disowned him, accounted him as one dead, and would not have his name mentioned in his hearing. Young Fancher wept at this point in his recital, and the whole congregation was visibly affected. He went on to say that he was not leaving because he had lost his faith; it was stronger than ever, and he hoped to continue faithful to the end. But his father, who now lived in California had softened toward him and had sent for him, needing his help in the management of his property. As none of his brothers were willing to go, he felt it his duty to rejoin his father and be with him in his declining years. He therefore resigned his office and parted regretfully from his many friends in that stake.

It was evident that he was held in high esteem by the authorities and the people in general, whose good wishes, he was assured, would follow him to his new place of residence."

CHAPTER CII

THE "UTAH WAR" PERIOD: AGITATION AGAINST THE REAPPOINTMENT OF BRIGHAM YOUNG FOR GOVERNOR—COLONEL STEPTOE

WE have now to treat of political matters, and their relationship to that event which is variously known in Latter-day Saint Church annals as "The Utah War;" or "The Echo Canon War," and by one pro-"Mormon" writer (Tullidge) as "Buchanan's Blunder." In the United States government official reports it is most frequently referred to as "The Utah Expedition;" though the military force is often referred to in official documents as "The Army for Utah." Anti-"Mormon" writers usually refer to the event as "The Mormon War." (Linn, Waite, *et al*), and one (Waite) quotes the saints as calling it—though I have found no confirmation of the alleged quotation—"Buchanan's Crusade."

ALLEGED PURPOSES OF THE "WAR"

The "war," if so it may be designated, was waged on the part of the general government for the maintenance of the supremacy of the federal authority in the territory of Utah, which Buchanan's administration had been led to believe, or feigned to believe, was questioned in Utah; and against which, it was also led to believe, albeit on insufficient grounds, a substantial rebellion existed. On the part of the Latter-day Saints, then constituting practically the whole population of the territory, the "war" was waged, in defense of the American principle of the right of local self-government, of community self-preservation, though the resistance to the federal manifestation of force may not have been described at the time by such political terms. The narrative as it develops, however, will plainly demonstrate the accuracy of the above statement.

GROUNDS OF OPPOSITION AGAINST GOVERNOR YOUNG

Brigham Young's first term as governor of Utah would expire in 1854. Naturally there was a strong desire in the territory for his reappointment, and Dr. Bernhisel at Washington was urging it to the extent of his ability, aided by such friends as he could bring to his support. Meantime, however, a very widespread and bitter prejudice had arisen against the saints in Utah owing to the report of the "run-a-way officials"—Broccus, Brandebury, Harris and Day—followed, as it had been, by the official announcement of the church respecting the doctrine and practice of plural marriage. There was, therefore, a strong feeling throughout the country that a non-"Mormon" should be appointed governor of Utah, together with new judges, to be accompanied by a sufficient military force to enable them to "execute the laws of congress."¹

"I deeply regret to inform you," wrote Delegate Bernhisel to Franklin D. Richards, "that the president finally declined to reappoint Governor Young to the office he now holds. Lieutenant Steptoe is the appointee." "The colonel," he adds, "sustains a high character here [i. e. in Washington], and numbers among his friends the honorable secretary of war [Jefferson Davis]. Since Governor Young's reappointment could not be secured, which is a source of profound regret to us all, I know of no one who, I suppose, would be more acceptable than Colonel Steptoe, but his friends here believe he will not accept."²

Colonel E. J. Steptoe and his command arrived in Salt Lake valley on the 31st of August, 1854. The command consisted of two companies of artillery and one of infantry, numbering about 175 soldiers, and about 150 employees or

1. See a letter of Orson Spencer's under date of Nov. 13th, 1854, in *Deseret News* for March 1st, 1855; the caption of Spencer's letter is—"Prospect of Mormon War," wherein he cites the *Charleston Mercury*, *Washington Star*, *New York Times*, *Albany Atlas*, and *Missouri Democrat* as favoring such a policy as stated in the text respecting Utah.

2. The letter bears date of Jan. 4th, 1854. (*Millennial Star*, vol. xvii, p. 110).

quartermaster's men, 100 wagons, and 1,000 head of horses and mules. Ostensibly the command was *en route* for California. Bancroft states that Colonel Steptoe had been given orders "to arrest and bring to trial the perpetrators of the Gunnison massacre,"³ and we have already seen that he was present with part of his command at the trial and the conviction of some of the Indians engaged in that lamentable affair. It is also possible, however, that Steptoe's command came in response to the sentiment and the agitation in the east noted in Orson Spencer's communication to which reference has been made. At any rate the colonel of the command was the administration's appointee for the office of governor of the territory, and he was so soon followed by the other appointees of the Pierce administration,⁴ that the coming of the military force could easily have been made to serve the purpose of the eastern demand for such a thing. Fortunately, however, Colonel Steptoe seems to have judged that there was no occasion for such a turn to affairs; but on the contrary seemed very well pleased with conditions as he found them in Utah; so well, in fact, that he never presented his credentials if he brought them with him, and never claimed the office to which he had been appointed. On the contrary he joined with all the other officers of his command, with all the federal appointees, and all the leading non-"Mormon" merchants of Salt Lake City, in asking that Brigham Young be reappointed governor of the territory and superintendent of Indian affairs, and the following petition was addressed to President Franklin Pierce:

PETITION

"To His Excellency Franklin Pierce, President of the United States:
Your petitioners would respectfully represent, that whereas Gover-

3. Bancroft's *History of Utah*, p. 493.

4. The other appointees were Almon W. Babbitt, of Utah, secretary of the territory. He was formerly sent to congress, it will be remembered, as representative of the provisional "State of Deseret;" and had been continuously active in the territory's political affairs. John F. Kinney, of Iowa, was appointed chief justice of the territory, with W. W. Drummond, of Illinois, and George P. Stiles, of Utah, as associate justices.

nor Brigham Young possesses the entire confidence of the people of this territory, without distinction of party or sect; and from personal acquaintance, and social intercourse, we find him to be a firm supporter of the Constitution and laws of the United States, and a tried pillar of republican institutions; and having repeatedly listened to his remarks, in private as well as in public assemblies, do know he is the warm friend and able supporter of constitutional liberty, the rumors published in the states to the contrary notwithstanding; and having canvassed to our satisfaction, his doings as governor and superintendent of Indian affairs, and also the disposition of the appropriations for public buildings for the territory, we do most cordially and cheerfully represent that the same has [been] expended to the best interest of the nation; and, whereas, his reappointment would better subserve the territorial interest than the appointment of any other man, and would meet with the gratitude of the entire inhabitants of the territory, and his removal would cause the deepest feelings of sorrow and regret; and it being our unqualified opinion based upon the personal acquaintance which we have formed with Governor Young, and from our observation of the results of his influence and administration in this territory, that he possesses in an eminent degree every qualification necessary for the discharge of his official duties and unquestioned integrity and ability, that he is the most suitable person that can be selected for that office.

We therefore take great pleasure in recommending him to your favorable consideration and do earnestly request his reappointment as governor and superintendent of Indian affairs for this territory."⁵

5. *History of Brigham Young, Ms.*, entry for Dec. 30, 1854, pp. 112, 113. The following entry respecting this petition is made in the *Ms. History*: "This petition was signed by Chief Justice Kinney, Lieutenant Colonel Steptoe and all the officers of his command; the associate justices of the supreme court; the federal officers in the territory, and all the leading merchants of the city." (*Ibid.*). The petition, with all the signatures attached, is published in *Deseret News* of Sept. 2, 1857. Notwithstanding the above course followed by Colonel Steptoe, fifteen years later, Vice-President Schuyler Colfax—elected with U. S. Grant, 1868—said: "Colonel Steptoe was commissioned as governor, in the place of Young; but after wintering with a battalion of soldiers at Salt Lake, he resigned, not deeming it safe or prudent to accept." (See the vice-president's communication to the *New York Independent* of Dec. 2nd, 1869; also pamphlet, *The Mormon Question*, a discussion between Vice-President Colfax and Elder John Taylor, *Deseret News* print, 1870, p. 13). The statement would scarcely be regarded as a tribute to the courage of the gallant Colonel Steptoe. Mrs. C. B. Waite, wife of Judge Waite, one of the associate justices of Utah, by Lincoln's appointment, in 1862, also author of *The Mormon Prophet*, 1866, tells an incredible story of Colonel Steptoe being entrapped by two beautiful women, acting under Brigham Young's direction, into a compromising situation, and that in order to escape exposure resigned his commission as governor, and recommended Young for the place. Mrs. Waite states that the narrative she gives was "furnished by a Mormon who was residing in Salt Lake City at the time" (p. 27). This is the doubtful source of the story. Bancroft rightly says: "There are no grounds for such a statement." (*History of Utah*, p. 493, note). Yet Beadle (*Life in Utah*, p. 171) and Linn (*Story of the Mormons*, p. 469) repeat the story, Linn quoting Waite as the source, but saying in a footnote that it is "confirmed by Beadle, *Life in Utah*, p. 171." "Confirmed" should be "repeated" by Beadle. Mrs. Waite writing in 1866, Beadle in 1870. The latter says, "It is now known that Colonel Steptoe had been secretly commissioned governor of Utah by President Pierce," (p. 171).

The foregoing petition was drawn up and signed on the 30th of December. Somewhat earlier in the month, the 21st, the territorial legislature unanimously memorialized the president and the United States senate to the same effect, representing that the petitioners and "their constituents *unanimously* wish and fervently desire the reappointment of his excellency, Brigham Young."⁶

STRONG FOR THE RIGHTS OF LOCAL SELF-GOVERNMENT

While the reappointment of Governor Young was in suspense, and it was thought likely that some one else, and that some one else not to the people's liking, would be appointed, there were some rather vigorous things said by leading men of the territory by way of protest in relation to an administration in a republican government that would appoint officers in a territory without regard to the wishes of the people. Brigham Young was among those who assailed this injustice and this un-American principle, and as early as June, 1853, and again in February, 1855, he asserted his intention to reprove United States officers who imposed upon the people, as he had in the case of Judge Brocchus.⁷ In this connection nearly every non-"Mormon" writer has done Brigham Young a great injustice in representing that he expressed his determination to be governor of Utah in defiance of the federal appointing power.⁸ The first passage on which the garbling process is used and the injustice done is in respect of a statement made by Brigham Young in June, 1853:

"We have got a territorial government, and I am and will be the

6. *Acts, Resolutions and Memorials of the Legislative Assembly of Utah*, 1855, pp. 419-20.

7. See sermon in *Deseret News* of March 16, 1854, and *Journal of Discourses*, vol. i, p. 187; also vol. ii, pp. 187-8.

8. See Linn's *Story of the Mormons*, p. 468. He partially quotes President Young, as above, and then adds: "Having thus defied the federal appointing power the nomination of Colonel Steptoe as Young's successor might have been expected to cause an outbreak; but the Mormon leaders were always diplomatic—at least when Young did not lose his temper," etc., etc. (See also Bancroft's *History of Utah*, ch. xviii, opening sentence, *et passim*; also Stenhouse in *Rocky Mountain Saints*, pp. 280-1).

governor, and no power can hinder it until the Lord Almighty says, 'Brigham, you need not be governor any longer,' and then I am willing to yield to another."⁹

This, however, should be read in connection with a preceding paragraph in the discourse, *to wit*:

"As for this people, and as for the disturbances and reports of the returned judges (Brandebury and Brocchus); as for the say so of one nation, or of all the nations upon the earth, I am entirely unconcerned. * * * but I hope one thing concerning this kingdom of God, which is established upon the earth [i. e. meaning here the Church of the Latter-day Saints] that they will turn neither to the right nor to the left, but maintain continually a steady, unslackened pace to build up the cause of truth: and let small men, or large men, officers of states, emperors, kings or beggars, say or do what they please, it is all the same to the Almighty. The king upon his throne, the president in his chair, the judges upon the bench, and the beggar in the street, *are all overruled in their actions by the Almighty God of heaven and earth.* Who can successfully fight against him?"

MISREPRESENTATION OF GOVERNOR YOUNG'S ATTITUDE

Strong in this conviction he also said in this same discourse—"I have no fears whatever of Franklin Pierce excusing me from office, and saying that another man shall be the governor of this territory." And then again—"I care not what may come, I will do the work the Lord has appointed unto me; you do the same and fear not, for the Lord manages the ship of Zion, and on any other ship I do not wish to be."¹⁰

The press of the United States having made much of the garbled reports of this discourse sent to the east by unconscionable scribblers, President Young in February, 1855, made the following comment both upon the fact of the misrepresentations and of his former remarks:

"The newspapers are teeming with statements that I said, 'President Pierce and all hell could not remove me from office.' I will tell you what I did say, and what I now say; the Lord reigns and rules in the armies of the heavens, and does his pleasure among the inhabitants of the earth. He sets up a kingdom here, and pulls down another there at his pleasure.

9. Sermon, June 19, 1853, *Deseret News*, March 16, 1854. *Journal of Discourses*, vol. i, pp. 187-8.

10. *Ibid.*

He walks in the midst of the people, and they know it not. He makes kings, presidents, and governors at his pleasure; hence I conclude that I shall be governor of Utah territory, just as long as he wants me to be; and for that time, neither the president of the United States, nor any other power, can prevent it. Then, brethren and sisters, be not worried about my being dismissed from office; for when the president appoints another man to be governor of Utah territory, you may acknowledge that the Lord has done it, for we should acknowledge his hand in all things. All people are in the hands of the Almighty, and he governs and controls them, though they cannot perceive, neither do they acknowledge, his handy work. He exalts the president to be the head of the nation, and places kings upon their thrones. There is not a man that escapes his cognizance, and he brings forth his purposes in the latter days."¹¹

With this light thrown upon the passage under question it is very clear that Brigham Young was not asserting any defiance of the federal appointing power at Washington, but merely acknowledging the hand of God in the affairs of men and of states; and was expressing his confidence that he would remain in his place as governor as long as the Lord sought proper to sustain him there; not, I believe, an attitude of mind that does great violence to common theistic notions or sentiments.

COLONEL STEPTOE'S STANDING IN UTAH

Relative to Colonel Steptoe and his reported appointment as governor of Utah, Brigham Young, while holding that "the people should have officers of their own choice," said of Colonel Steptoe:

"If the gallant gentleman who is now in our midst had received the commission of governor of this territory, as was reported, and had accepted it, I would have taken off my hat and honored the appointment; and this people would have been just as passive and submissive to him as they could be to me. That I will warrant and vouch for. If they wish to send a governor here, and he is a gentleman, like the one I referred to, every heart would say, 'Thank God, we have a *man* to stand at our head in a gubernatorial capacity; a man who has got a good heart, and is willing that we should enjoy the federal rights of the Constitution as well as himself.' I am with all such men, heart and hand. But for a man to come here and infringe upon my individual rights and privileges, and upon those of my brethren, will never meet my sanction,

11. From a sermon of 18th Feb., 1855, *Journal of Discourses*, vol. ii, p. 183.

and I will scourge such an one until he leaves; I am after him. But I will, say, to the praise of the gallant gentleman referred to, if there was going to be a gentleman called upon to be our governor, there is not a man, out of the kingdom of God [i. e. the Latter-day Saints Church], that I would listen to sooner, and feel more confidence and cordiality towards, than to him. I wish this meed of praise could be awarded every officer in the government, but it cannot."¹²

It having been reported that Governor Young had been deposed and Colonel Steptoe appointed governor in his place, Elder Orson Hyde wrote the *Deseret News*:

"So far as I am acquainted, there is no man in the territory, outside the church, who shares, more liberally, the respect and confidence of her citizens than the colonel. There are those, however, that are equally well respected.

Colonel S. is not obliged to accept his appointment; and it remains to be seen whether he entertains a similar respect for *popular sovereignty* and the known wishes of the great mass of the citizens of the territory to that which they entertain for him."¹³

THE AMERICAN RIGHT OF "LOCAL SELF-GOVERNMENT"

It was not to Colonel Steptoe, then, that objection was made by the people of Utah, but objection to the appointment of any person that was not the choice of the people. Previous to the publication of Hyde's comment the *Deseret News* editorially had said:

"In a republican government so liberal, and professedly enlightened, as that of the United States, a person might reasonably expect to see the principle of 'popular sovereignty,' the basis upon which the whole political machinery is alleged to rest, carried out to the fullest extent; and not only each state, but also each territory be left to operate untrammelled so long as they kept within the bounds of the Constitution."

In a later paragraph these reflections were indulged:

"It is not strange that our revolutionary fathers were more or less influenced by the precedents of the government whose yoke of 'taxation without representation' they had so recently thrown off; but it actually

12. *Ibid*, pp. 187-8.

13. This letter is published in *Deseret News*, March 21st, 1855. By the time the *News* received this letter it was known that the colonel had refused to accept the appointment to the governorship, on which the *News* editorially commented as follows: "This refusal is stated upon reports, which, if true, substantiates the correctness of our estimate and corroborates our idea that President Pierce made the best appointment for us that our enemies would let him." (*Deseret News* of 8th of March, 1855).

is strange that, in this boasted age of progression, the very principle against which our fathers so manfully struggled should be carried out towards the colonies. This is as entirely opposed to reason, justice, and the professed principles of freedom and 'popular sovereignty,' as it was in the days of the Revolution, and the perpetuity of so glaring an inconsistency can only be accounted for upon the traditionary influence, human weaknesses, delight in oppression, and love of power, even though unjustly obtained and exercised."

INCONGRUITIES OF TERRITORIAL GOVERNMENT

The argument is then made that the territorial system in its practical effect amounts to taxation without representation, since the delegate from a territory to congress had no vote upon the raising or the distribution of the national revenue, which the people of a territory equally with the people of a state, pay; and the privilege of having a delegate in congress, but with no vote, amounts to little more than the privilege of petition and protest. Attention is called to the injustice of having their local legislation annulled by the national congress,¹⁴ in which matter the delegate had no vote. The un-Americanism of appointing officers to govern the people, rather than allowing the people to choose their own officers is pointed out. "This usage," says the editorial, "is precisely such as Great Britain exercised towards the revolutionary colonies. All this is but cold shoulder treatment, and left handed kindness to those enterprising persons who go forth to redeem the unsettled wilds of our country; whereas a nation so wealthy, with such an extent of unoccupied domain, and withal so boastful of republicanism, should extend every possible encouragement to the permanent occupancy and improvement of new regions, and in lieu of fettering and discouraging by the arbitrary and tyrannical exercise of high-handed power, should break off every shackle, and guarantee the broadest exercise of the freedom that is consistent with the Constitution."¹⁵

14. "All laws passed by the legislative assembly and governor shall be submitted to the congress of the United States, and if disapproved, shall be null and of no effect." (*Organic Act of Utah*, sec. 6).

15. *Deseret News*, 8th March, 1855.

Respecting the people of the territory and their fitness for self-government, and the improvements that might be made in the territorial system, the *News* writer said:

"Who are the men who settle our territories, who make the first roads and bridges, open the first farms, build the first houses, and make the barren waste rejoice? They are the most energetic and enterprising of your citizens, and have been raised side by side with the residents of your states, to whom you vouchsafe the full and free rights of self-government, and a voice in your highest councils. And does the enterprise necessary to found a new settlement disqualify them for knowing their own wants, making their own laws and choosing their own officers? Shame on such an absurdity and a double shame on all who would put the weight of a feather upon the elastic step, and buoyant fortitude of those most loyal and intelligent Pioneers who go forth and amid hardships and privations to multiply upon American soil the happy firesides of American sons and daughters. What should be done by the parent government to foster the extending of the area of unalloyed freedom? Knock off the shackles which now bind the expansion of the full force of her territories, and to do this effectually and consistently, whenever they petition for it, and present a proper state Constitution, admit them into the Union as states, with privileges of sending at least one representative, and this, too, regardless of the number of their population.

But if this too long a stride for the short steps of 'old usage,' and for 'the square rule of old say-so,' begin by allowing their delegates to vote as well as a voice, expunge the usurped authority to 'disapprove' their legislative enactments, and permit them to elect all of their own officers, except such as are also appointed in states, to carry out the policy and laws of the general government, and a person to look after the proper disbursement of such funds as congress should appropriate to assist the creeping child to speedily attain full stature.

If this is still requiring too sudden and great expansion of the parchment skin of old 'tradition,' it does seem that the smallest amount of consistency would compel the appointing power to gratify the wishes of the people, by appointing officers of their own choice."¹⁶

One will look in vain for more cogent or stronger argument for the great American right of "local self-government" than is here set forth.

Responding to so unanimous a demand from all classes of people in the territory, including Colonel Steptoe and the officers of his command, President Pierce continued Brigham Young in office as governor of Utah. This may well be regarded as a victory for the people of Utah, a triumph for the

16. *Ibid.*

principle of home rule, but the conflict between federal policy and the right of local self-government was by no means ended. It is next to appear in the judiciary department of the territorial government.

THE PEOPLES' RIGHT TO A LOCAL JUDICIARY

The organic act of Utah passed by the national congress provided that the judiciary of the territory should be vested in a supreme court, district courts, probate courts, and justices of the peace. The supreme court was to consist of the chief justice and two associate justices, any two of whom constituted a quorum. The jurisdiction of the several courts provided for, both appellate and original, "*and that of the probate courts, and of justices of the peace, shall be as limited by law;*" with the proviso that justices of the peace should not have jurisdiction when the title to boundaries of land was in dispute, or where a debt or sum claimed in suit should exceed one hundred dollars; and provided also that the said supreme and district courts respectively should possess chancery as well as common law jurisdiction.

Leaving the jurisdiction of the several courts, except for the provisos named, to be "*as limited by law,*" gave the general assembly of the territory its opportunity to secure for the probate courts which by the organic act the legislature was left to create and provide with officers, as wide a jurisdiction as possible. Circumstances lent themselves to such a movement. The retirement of Chief Justice Brandebury and Associate Justice Brocchus, left the territory, which had waited patiently for the machinery of government—and especially for the judiciary department—without a supreme court, and only one of the associate justices was left in the territory to transact the business belonging to the three district courts provided for in the organic act. The territory had been organized since Sept. 9th, 1850; nearly a year had elapsed before a sufficient number of the judges arrived to organize the

courts; and then, before the system provided could be inaugurated, two of them left their posts, rendering that organization impossible, and leaving the territory without a judiciary except for such inadequate service as one associate justice could give. Under these circumstances, apart from any natural desire that the local legislators might have to enlarge the sphere of local self-government in the judiciary department, it is not remarkable that the general assembly did all it could to create a local judiciary that would meet the needs of the people and give something like stability to territorial judiciary affairs.

THE PROBATE COURT SYSTEM OF UTAH

Accordingly among the first measures enacted by the legislature of 1851-2—the first held under the organic act of the territory—was one in relation to the judiciary, the first section of which provided that “the district courts shall exercise original jurisdiction, both in civil and criminal cases, *when not otherwise provided by law;*” they were also to have a general supervision over all inferior courts to prevent and correct abuses, “*where no other remedy is provided.*” Furthermore the act provided that “by the consent of the court and the parties, any person may be selected to act as judge for the trial of any particular cause or question; and while thus acting he shall possess all the powers of the district judge in the case.” This to promote the local custom of settling difficulties by arbitration rather than by litigation; as also, doubtless, to enlarge the sphere of home rule by local officers as against government by federal appointees. In the same act, “with a view to the attainment of justice,” the judiciary act proposed to dispense with all needless forms and to disregard all technical pleadings; “all technical forms of action and pleadings, are hereby abolished.” This in the interest of direct and simple legal procedure—the cure for the oft insufferable “law’s delay,” and “the insolence of office.”

The judges of the probate courts—of which there was one in each county—were elected by the joint vote of the legislative assembly, but commissioned by the governor, to hold their office for the term of four years, and until their successors were elected and qualified. The probate courts, in addition to the usual jurisdiction of probating wills, the administration of the estates of deceased persons, the guardianship of minors, idiots, and insane persons, had power conferred upon them, to exercise in their respective counties, *“original jurisdiction both civil and criminal, and as well in chancery as at common law, when not prohibited by legislative enactments;”* and they were to be governed in all respects by the same general rules and regulations, as regards practice, as the district courts. Clerks and recorders were provided for these courts, with directions as to procedure and reports. Said courts were to be considered as always open, but provisions were made for four regular sessions each year. A prosecuting attorney was appointed in each organized county by the respective probate judges of said counties, whose term of office was for four years, unless sooner removed by the probate judge, and until his successor was appointed and qualified. It was made his duty *“to attend to all legal business in the county, in which the territory is a party, and prosecute before the probate court of his county, all individuals accused of crimes.”*

A territorial marshal was also provided; to be elected by joint vote of both houses of the legislature; his term of office, four years—unless sooner removed by the legislature—and until his successor was elected and qualified. Power was granted to the marshal to appoint one or more deputies in each judicial district of the territory, whose term of office was to parallel that of the marshal, subject to removal at any time, however, by the marshal at his discretion. *“It shall be the duty of the marshal, or any of his deputies, to execute all orders or processes of the supreme or district court, in all*

cases arising under the laws of the territory, and such other duties as the executive may direct, or may be required by law pertaining to the duties of his office.”¹⁷ The office of attorney-general for the territory was created and elected in the same manner, for the same length of time and made amenable to the same authority, as the marshal—*viz.*, the legislature. “It shall be the duty of the attorney-general,” said the enactment, “to keep his office at the seat of government to attend to all legal business on the part of the territory, before the courts, where the territory is a party, and prosecute individuals accused of crime in the judicial district in which he kept his office, *in cases arising under the laws of the territory*, and such other duties as pertain to his office.” Provision was made for the election of a “district attorney for each judicial district, (except for the one in which the attorney-general kept his office), elected in the same manner, for the same length of time, answerable to the same authority, and directed to discharge the same duties, in the same manner, under the same limitations, in their respective districts as the attorney-general in the district in which his office was located.”¹⁸

These several enactments limited, as it was doubtless the intention of the legislators to limit, the United States supreme and district courts to the transaction of such legal business as related to, and that came solely under, the jurisdiction of the laws of the United States operative within the territory, and such appellate jurisdiction as the local legislators were bound to recognize.

LOCAL LEGISLATION CONFESSEDLY UNUSUAL, BUT—

Undoubtedly such legislation was unusual. But if the legislation was unusual, were not the conditions to be met

17. The enactment was approved Feb. 4th, 1852, and is to be found in the *Laws of Utah* for 1852, published in the collected *Acts, Resolutions, and Memorials*, authorized by the legislature of 1855, pp. 120-128.

18. This enactment approved March 3rd, 1852. (*Acts, Resolutions and Memorials*, compilation of 1855, ch. vii, pp. 140-1).

unusual for Americans? And did not those conditions justify the legislation, both on account of the practical abdication of the federal judiciary, and the uncertainty of their remaining at their respective posts of duty in the future? But more than all was not this legislation justified upon the right of an American community to exercise the largest possible measure of home rule consistent with the several provisions of the Constitution bearing upon the distribution and reservation of political power as related to government?

"Judge [Leonidas] Shaver, one of the best of the jurists," says Captain Burton, "tacitly acknowledged the jurisdiction of the probate courts;" that is, as established by the legislation here considered; and Judge Kinney the chief justice of the territory, under the appointment of President Pierce, asserted the legality of their jurisdiction in a judicial decision.¹⁹

19. Burton's *City of the Saints*, p. 312, note. Anti-"Mormon" writers quite generally disparage Judge Kinney as a jurist, chiefly, so far as I can find, because he was friendly disposed to the people of Utah, and did not sympathize with anti-"Mormon" crusades against them. When appointed to the office of chief justice of the supreme court of Utah by President Pierce, he was not an applicant for the place, being content with his position of a judge of the supreme court of Iowa. "In 1854," writes O. F. Whitney, in his biographical sketch of Judge Kinney, "he announced in court his intention to resign: whereupon a meeting of lawyers was held, and resolutions of regret unanimously adopted by the members of the bar, that relations between themselves and Judge Kinney were to be dissolved. They referred to the uniform dignity, impartiality and courtesy which had marked his course, and declared that in his retirement the supreme bench of the state lost a learned, independent and indefatigable judge, the local bar an able and distinguished member, and themselves a warm and generous friend." Judge Kinney's relations with the people of Utah were always agreeable. "He states," says Whitney, "that he held his sessions of court without interruption, and administered the law alike to 'Mormon,' 'Jew' and 'Gentile' without interference." He remained in Utah with his family until the spring of 1856, "when he and his family returned to Iowa to afford his children, better opportunity for attending school." Two years later he was appointed by President Buchanan to the position he had formerly held in Utah, chief justice of the supreme court. This position he occupied until July, 1863, when—since the judge was a Democrat, he was removed by a Republican president—Abraham Lincoln—but within a month of his removal from the judgeship he was elected as delegate to congress from Utah, "receiving every vote cast at the election" (*Ibid*). After this the judge had a varied political and business career in Nebraska and California, but finally made his home in Utah where he died 16th of August, 1902. The only thing which detracts from Judge Kinney's dignity of deportment seems to have been that "added to his judicial functions" the occupation of "store-keeper and boarding house proprietor," which anti-"Mormon" writers hold to have been "unprofessional." (See Linn, *Story of the Mormons*, p. 469; Waite's *Mormon Prophet*, pp. 28-31).

APPROVAL OF UTAH LEGISLATION ON THE JUDICIARY

In addition to this decision of Chief Justice Kinney, the Utah legislation had the tacit approval of the national congress, which, notwithstanding it assumed the right to annul the laws passed by the territorial legislatures, allowed this legislation to stand undisturbed for nearly a quarter of a century, when most of it was annulled by what is known as "The Poland Bill," approved June 23, 1874, but which provided nevertheless, that "all judgments and decrees heretofore rendered by the probate courts which have been executed and the time to appeal from which has by existing law of said territory expired, *are hereby validated and confirmed.*"²⁰

TERRITORIAL MARSHAL AND ATTORNEY-GENERAL SUSTAINED

That part of the legislation considered in the foregoing relating to the territorial marshal and the territorial attorney-general was also subject to the examination of both the territorial courts and the supreme court of the United States, with the result that the legislation respecting these two officers and their functions was sustained by the supreme court. In 1874, at the request of the Utah legislature, Judge Z. Snow, at one time associate justice of Utah, and at the time of which we speak Utah's attorney-general, reviewed this legislation; and in so far as it related to the two officers here referred to, and in relation to the history of the litigation and the conclusion of the matters involved, said:

"How, then, stands this question? In 1852 the governor and legislative assembly passed a law providing for an attorney-general and a marshal, to be elected by the joint vote of both houses. Under this law these officers have been elected from that time till the present, and until about 1862 or 1863, no governor raised an objection. Then one raised the objection, but the legislative assembly stood firm. From that time till 1870 it was acquiesced in by the successive governors, each of whom had the same but no more legal authority than those who have since presided. In 1870 the courts here ruled against this law.

20. See Poland Law, sec. 3, *Compiled Laws of Utah*, 1888, vol. i, p. 104.

In 1873 the Supreme Court of the United States having the law under consideration, held it valid, saying, 'The organic act is susceptible of a construction that will avoid such a conflict. And that construction is supported by long usage in this and other territories. Under these circumstances it is the duty of the court to adopt it and declare the territorial act valid.' If I am correct in saying the judgment of a court of last resort is conclusive, has not this act been declared valid?"²¹

21. Communication of Attorney-General Z. Snow to the house of representatives of the Utah territorial legislature, Feb. 4, 1874. (The document will be found complete in *Deseret News* weekly, of Feb. 25th, March 4th, and 11th).

CHAPTER CIII

THE "UTAH WAR" PERIOD—DISAPPOINTED MAIL CONTRACTORS AND THEIR MISREPRESENTATIONS

IT HAS already been said that the United States judges appointed by the Pierce administration were John F. Kinney, chief justice; with Geo. P. Stiles, of Utah, and William W. Drummond of Illinois as associated justices. The attitude of Judge Kinney with reference to local Utah questions has been sufficiently pointed out.

THE CLASH IN JURISDICTION OF COURTS

The first clash in respect of jurisdiction between the United States judiciary officers and the local territorial judiciary officers occurred in Judge Stiles' court in Salt Lake City, in February, 1857. The territorial marshal claimed the jurisdiction of serving writs and impaneling juries when the courts were sitting as territorial courts; the United States marshal claimed the right to exercise these functions both when the courts were sitting as federal courts and as territorial courts. Judge Stiles, inclining to the latter view, issued certain writs to the United States marshal, and when the question of jurisdiction came up in his court a number of local lawyers, led by James Ferguson,¹ entered the court room and by boisterous conduct and threats intimidated the judge, who suddenly adjourned his court. In this imbroglio between Judge Stiles and the local lawyers, the judge's law office was raided, some of the United States court records taken possession of and certain books and papers of his office burned in an outhouse of the premises which gave color to the subsequent charges made that the United States court records had been destroyed, which, however, was not the case.²

1. Ferguson's associates in this intimidation were Hosea Stout and J. C. Little.

2. See Waite's *Mormon Prophet*, pp. 37-8; also Bancroft's *History of Utah*, pp. 488-9.

Waite, Bancroft, Linn, *et al* state that Stiles appealed to Brigham Young as governor of the territory to sustain him and protect him in the discharge of his duties; but he "was told that if he could not sustain and enforce the laws the sooner he adjourned his court the better."³ Stiles had been more or less prominent in "Mormon" affairs from Nauvoo times. In Nauvoo he held the office of city attorney and in the city council advocated the destruction of the *Nauvoo Expositor*.⁴ He had latterly, however, fallen into evil ways, and had been excommunicated from the church in the preceding December, by the conjoint action of a number of the apostles and a general meeting of the seventies—of which latter body the judge was a member—for immoral conduct—adultery.⁵ This loss of moral standing in the community, doubtless contributed to a lack of respect for his court, and was the cause of the indifference, on the part of Governor Young, in supporting him against the intimidation of Ferguson *et al*.⁶

3. Bancroft's *History of Utah*, p. 489, Waite's *Mormon Prophet*, pp. 36, 37. Linn's *Story of the Mormons*, pp. 470-1.

4. See *History of the Church*, Period I, vol. vi, pp. 331 and 445.

5. *History of Brigham Young, Ms.*, entry for Dec. 22nd, 1856, pp. 1267-1278, where the case is given in detail; also *Woodruff's Journal*, entry for same date.

6. The conduct of Ferguson subsequently became the subject of investigation by a grand jury, which reported to Judge C. E. Sinclair's court, under date of Dec. 14, 1858, as follows: "The grand jury find that James Ferguson, of Great Salt Lake City, U. T., did use language and threats calculated to intimidate Judge George P. Stiles, United States district judge, while in the execution of his official duties and presiding as judge of this district court at the February term, 1857. Said threats and language used to George P. Stiles." (*Rocky Mountain Saints*, p. 283). [Signed] "Eleazer Miller, Foreman."

On the foregoing our author remarks: "Mr. Ferguson was by instinct a gentleman; his actions on this occasion find interpretation in the general spirit of the times, Israel was determined not to be beaten." (*Ibid*). He should have said, that Mr. Ferguson was insisting, albeit in an irregular and unlawful manner, in this instance, for the right of local self-government. Stenhouse says that the true bill was found by "a Mormon jury." Geo. A. Smith, church historian at the time, in a letter to Colonel Kane, under date of Jan. 14, 1859, says, a grand jury, principally of camp followers investigated the subject, and found a bill against General Ferguson. (*History of Brigham Young, Ms.*, entries for January, 1859, p. 133). The jury was a mixed one composed between "Mormon" and Gentile with the latter predominating. The names of the panel will be found in *Deseret News* of Nov. 24, and of Dec. 15, 1858; and the names of the twelve men who brought in the indictment are given in *History of Brigham Young, Ms.*, entries for Dec., 1855, p. 1165. The Ferguson case came to trial in January, 1859, before Associate Justice Charles E. Sinclair. The case occupied the court from the 5th to the 11th of the month, when,

JUDGE DRUMMOND'S DECLARED ATTITUDE

Judge Drummond soon after his arrival in Utah, announced his intention to ignore the special powers given by legislative enactment to the probate courts of "original jurisdiction both civil and criminal, and as well in chancery as in common law;" denouncing such laws as having been "founded in ignorance;" and as having no binding effect.⁷

That the appointment of Drummond to the bench in Utah was as much a disgrace to the administration at Washington as it was an imposition upon the people of Utah is quite generally admitted, even by anti-"Mormon" writers. "Judge Drummond's course in Utah was in many respects scandalous," writes Linn. "A former member of the bench in Illinois," he continues, "writes to me: 'I remember that when Drummond's appointment was announced there was considerable comment as to his lack of fitness for the place; and, after the troubles between him and the Mormon leaders got aired through the press, members of the bar from his part of the state said they did not blame the Mormons—that it was an imposition upon them to have sent him out there as a judge.'"⁸

IMMORAL CHARACTER OF JUDGE DRUMMOND

Bancroft refers to him as a "gambler and bully;" that "he openly avowed that he had come to Utah to make money,

after an extended argument by United States attorney for the territory, Mr. Wilson, and for the defense by Mr. Ferguson himself, the jury brought in a verdict of "not guilty" and the case was dismissed. (*Deseret News* of Jan. 12, 1859).

7. See Letters of Samuel W. Richards, member of the territorial legislature, to his brother, F. D. Richards, then, 1855, in England: "You have no doubt heard of the appointment and arrival of Judge Drummond in this territory. He has lately been holding court in this place [Fillmore] which has given him an opportunity to show himself. * * * He has brass to declare, in open court, that the Utah laws are founded in ignorance, and has attempted to set some of the most important ones aside. This being the highest compliment he has to pay to Utah legislators, we shall all endeavor to appreciate it, and he, no doubt, from his great ability to judge the merits of law, will be able to appreciate the merits of a return compliment some day. His course and policy so far seem to be to raise a row if possible, and make himself notorious." (Letter dated at Fillmore, Utah, Dec. 7th, 1855, *Millennial Star*, vol. xviii, pp. 204-5). In a second letter the same writer said: "He has virtually ruled our probate courts out of power in his decisions." (*Ibid*, p. 254; and Waite's *Mormon Prophet*, p. 39).

8. Linn's *Story of the Mormons*, p. 469.

and in the presence of the chief justice declared: '*Money is my God.*'"⁹ This is confirmed by M. Remy and Brenchley in their *Journey to Great Salt Lake City*, who claim to have been present when the remark was made; and further say—"he added without shame, that we might note this profession of his faith in our journal."¹⁰ These French travelers note also that the judge was "not a very estimable character, being notorious for the immorality of his private life."¹¹

The facts are that Judge Drummond brought with him from Washington a prostitute, whom he introduced as his wife, and quite frequently had her sit with him upon the bench during the sessions of the court,—“where he administered justice in the name of the republic,” remarks Remy.¹² He had deserted a wife and a family of several children at Oquawka, Henderson county, Illinois, whom he had left in want. It was some time before the immoral status of Judge Drummond was discovered in Utah, and then it was learned through relatives of Mrs. Drummond, who inquired of him if the wife he had in Illinois was still living, to which the judge answered in the affirmative, but claimed that he had been divorced from her. This led to a letter of inquiry being sent to Mrs. Drummond conjointly by Mr. and Mrs. Silas Richards, the aforesaid relatives of Mrs. Drummond. In answering Mrs. Drummond denied being divorced from the judge, and disclosed his relations with the Carroll woman, and his general perfidy. Mrs. Drummond's letter was published in full in the *Deseret News*.¹³ Such was the character

9. Bancroft's *History of Utah*, p. 490.

10. Remy and Brenchley's *Journey to Great Salt Lake City*, 1861, vol. i, p. 208; also again, at p. 469, where the matter is repeated, and the presence of the chief justice noted.

11. *Ibid.*, pp. 468-9.

12. *Journey to Great Salt Lake City*, vol. i, p. 469. The woman went by the name of Ada Carroll in Washington, but her real name was Mrs. Mary Fletcher, formerly of Baltimore, where her husband, Charles Fletcher, a school teacher and her mother, a Mrs. Ridgley, resided. (See Letters of Judge W. I. Appleby, in *Millennial Star*, vol. xix, p. 401, *et seq.*; also letter from Mrs. Drummond, wife of the judge, in *Deseret News* of May 20th, 1857).

13. See impression of 20th of May, 1857; Mrs. D. addresses her letter to Mr. and Mrs. Richards—"Dear Brother and Sister:" for Drummond's character see Judge Appleby's communication in *Millennial Star*, vol. xix, p. 401, *et seq.*, and Remy's *Journey to Great Salt Lake City*, vol. i, pp. 208-9.

and conduct of this United States judge appointed for Utah! "He was constantly saying," remarks M. Jules Remy, who met the judge both at Salt Lake and at Fillmore, "to whoever would listen to him, that these laws [i. e. the laws enacted by the territorial legislature] were founded in ignorance, and that he—an open adulterer, mark—would never let slip an opportunity of protesting against the polygamy practiced in Utah."¹⁴ A remark made by one Levi Abrahams, a Jew convert to "Mormonism," and a shopkeeper at Fillmore, led to Judge Drummond sending his negro body servant to horsewhip the Jew. This was done and both the judge and Cato, the negro servant, were arrested for "assault and battery with intent to murder."¹⁵ The case was never brought to trial, the matter being in some way, not very clearly set forth, "smothered" in court; and the judge soon after removed from Fillmore to Utah county, and in the spring of 1857 went to Carson valley, ostensibly to hold court for Judge Stiles, but really to leave Utah for the east *via* California and the Isthmus of Panama.

DRUMMOND'S RESIGNATION AND CHARGES

In California the judge for a time created quite a sensation through the press of that state, and much bitterness against the saints in Utah was manifested in editorial comment of the period.¹⁶ On arriving at New Orleans Judge

14. Remy's *Journey to Great Salt Lake City*, vol. i, p. 469.

15. Richards' Letter, *Millennial Star*, vol. xviii, p. 355; also *Ibid*, vol. xix, p. 401 (Judge Appleby's version). The story is related by a number of writers, among them Waite and Remy. The letter refers the assault upon Abrahams to a gambling quarrel; Mrs. Waite says the Jew was "hired for \$25 to quarrel with the judge;" that the "result of this *emute* was a compromise in which it was understood the judge would not interfere with the probate courts, and he was set at liberty," (p. 39). I have followed Judge Appleby's version in the text as being most likely to be accurate.

16. See the *San Francisco Bulletin*, *Alta* and the *Sacramento Daily Union* of the period, *passim*; and for a refutation of many of the judge's slanders see the *Western Standard*, edited by Geo. Q. Cannon; *passim*; and also *Writings from the Western Standard*, being a collection of editorials from the *Weekly Western Standard*, particularly articles under the captions, *A Mormon's Estimation of Gentiles*, p. 421; *The Mormon Problem and the Bulletin*, p. 454; *Another Witness Against Judge Drummond*, p. 478; *Ex-Judge Drummond and His Slanders*, p. 415, *et passim*; also current numbers of *The Mormon* during this period, *passim*.

Drummond mailed his resignation to Jeremiah S. Black, attorney-general in Buchanan's administration, bearing date of March 30th, 1857. He stated as his reasons for resigning:

(1) That Brigham Young is the head of the "Mormon" church; and, as such head, the "Mormons" look to him, and to him alone, for the law by which they are to be governed; therefore no law of congress is by them considered binding in any matter;

(2) That he [Drummond] knew that a secret, oath-bound organization existed among all the male members of the church to resist the laws of the country, and to acknowledge no law save the law of the priesthood, which came to the people through Brigham Young.

(3) That there were a number of men "set apart by special order of the church, to take both the lives and property of any person who may question the authority of the church."

The judge also alleges—"That the records, papers, etc., of the supreme court have been destroyed by order of the church, with the direct knowledge and approbation of Governor B. Young, and the federal officers grossly insulted for presuming to raise a single question about the treasonable act.¹⁷

(4) That the federal officers of the territory are constantly insulted, harassed, and annoyed by the Mormons, and for these insults there is no redress.

(5) That the federal officers are daily compelled to hear the form of the American government traduced, the chief executives of the nation, both living and dead, slandered and abused from the masses as well as from all the leading members of the church."

(6) The judge also charged discrimination in the administration of the laws as against "Mormon" and Gentile;

17. Such excuse as existed for making this report arose from the fact that at the time of the disturbance in Judge Stiles' court, a number of books and papers were taken from the judge's office during his absence and burned. As the records, papers, etc., of the supreme court of the territory were supposed to be kept in his office it was suspected that they were also destroyed, whereas they were safe and in the custody of the deputy clerk of the supreme court, Curtis E. Bolton, in the absence of W. J. Appleby, the clerk.

that Captain John W. Gunnison and his party were murdered by Indians, but "under the orders, advice and direction of the Mormons;"¹⁸ that the "Mormons" poisoned Judge Leonidas Shaver, Drummond's predecessor;¹⁹ that Almon W. Babbitt, secretary of the territory had been killed on the plains by a band of "Mormon" marauders, who were "sent from Salt Lake City for that purpose; *and that only*," under direct orders of the presidency of the Church of the Latter-day Saints, and that Babbitt was not killed by Indians as reported from Utah.²⁰

Drummond further explains to the attorney-general that his reason for making his resignation public was "that the Democratic party"—the party with which he [Drummond] had always acted, was then the party in power, "and

18. The case of Captain Gunnison, and who was responsible for his death, is considered in ch. xcv of this *History*.

19. The case of Judge Shaver is treated in ch. xcii of this *History*.

20. This charge though admittedly not proven nor susceptible of proof, is nevertheless iterated and reiterated by anti-"Mormon" writers: Waite (*Mormon Prophet*, 1866, pp. 24, 25), Beadle (*Life in Utah*, pp. 172-3), Linn (*Story of the Mormons*, 1902, p. 467), and many others. Mr. Babbitt had sent out from Florence, Nebraska, in August, a small ox train, in advance of his own departure for the west, laden chiefly with government property, a large number of books, stationery and other necessities for the approaching session of the legislature. This train was attacked by Cheyenne Indians on Prairie Creek, some fifteen miles from New Fort Kearney, on the 25th of August. All the party except two or three were killed on the spot, and one the next day—a Mrs. Wilson—after capture. The train was partly pillaged, when a party of Omaha hunters appeared on the scene in time to stop the pillage and save some of the wagons and other property which was turned over to the officers at New Fort Kearney. (*Council Bluff Bugle*, Sept. 9th, 1856, copied into *Millennial Star*, vol. xviii, p. 686). A few days later Mr. Babbitt, who had left Florence in an open carriage with only one attendant, expecting to overtake his train and accompany it to Utah, arrived at New Fort Kearney, where he learned of the disaster which had befallen his first train. He immediately purchased more cattle, fitted out his train again and resumed his journey. Several days later he was attacked and himself and his party killed. (*Council Bluff Bugle*, copied into *Millennial Star*, vol. xviii, p. 823). If the presidency of the church sent a party to perpetrate this crime and they went east for that purpose, and that purpose only, as charged by Judge Drummond, then the executioners traveled a distance of over seven hundred miles to do the deed, and seven hundred miles returning, making a distance of fourteen hundred miles. In addition to the unlikeliness of such an undertaking at so unnecessary a distance, there is an utter absence of motive; for while Mr. Babbitt was a bold, independent spirited man, and not given to yielding implicitly to the suggestions of Brigham Young, still there existed no motive for the crime charged against the "Mormon" presidency by Judge Drummond. Moreover, and once for all, the matter is set at rest by the investigation into the matter by the brother-in-law of Mr. Babbitt, editor of the *Crescent City* (Iowa) *Oracle*, who published the results of his investigations in the impression of his paper of May 22nd, 1857. (The article is given in *Note* end of this chapter).

therefore, is the party that *should now be held responsible for the treasonable and disgraceful state of affairs*”—then existing in Utah territory. After telling how bravely he had endeavored to discharge his duty in Utah, though painfully admitting that he had “accomplished little good while there,” he expressed it as his belief that “if there was a man put in office as governor of that territory, who is not a member of the church (i. e. ‘Mormon’), and he be supported with a *sufficient military aid*, much good would result from such a course.” “But,” he continued, “as the territory is now governed * * * it is noonday madness and folly to attempt to administer the law in that territory. The officers are insulted, harassed, and murdered for doing their duty, and not recognizing Brigham Young as the only lawgiver and lawmaker on earth.”²¹

DENIAL OF DRUMMOND'S CHARGES

As prompt a denial was made of the main allegations of Judge Drummond, as was compatible with the means of communication of those days—there being no railroads nor telegraph lines between Missouri river points and Utah. Curtis E. Bolton, deputy clerk of the supreme court for Utah, in the absence of William J. Appleby, the clerk, made a sworn denial of the things charged in the resignation. The judge said in his resignation that the “records, papers, etc., of the supreme court have been destroyed by order of Governor B. Young.” “I do solemnly declare this assertion is without the slightest foundation in truth,” wrote the deputy clerk. “The records, papers, etc., of the supreme court in this territory, together with all decisions and documents of every kind belonging thereto, from Monday, September 22, 1851, at which time said court was first organized, up to the present moment, are all *safe and complete in my custody*, and not

21. The Resignation will be found in *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, p. 212. It is also published in Tullidge's *History of Salt Lake City*, pp. 131-134.

one of them missing, nor have they been disturbed by any person."

Bolton also denies and disproves the discrimination in the administration of the law in cases against accused Gentiles; and concludes by saying:

"I could, were it my province in this affidavit, go on and refute all that Judge W. W. Drummond has stated in his aforesaid letter of resignation, by records, dates, and facts; but believing the foregoing is sufficient to show you what reliance is to be placed upon the assertions or word of W. W. Drummond, I shall leave this subject."²²

There should be added to Bolton's denial of the Drummond allegations at this point the vigorous denial of Mr. Feramor Little, which was published in the east even before Bolton's letter was written. Mr. Little, connected with the western mail service, had arrived at Independence in the latter days of February; thence he went to Washington and New York, arriving at the latter place at the time Drummond's charges were given to the press and were creating a great sensation. Under date of April 15th he addressed a vigorous letter to the *New York Herald*, in the course of which he said:

"The charges of Judge Drummond are as false as he is corrupt. Before I left for the states, I was five days every week in Great Salt Lake City, and I witness to all the world that I never heard one word of the burning of nine hundred volumes of law records, etc., nor anything of that character. * * * The treasonable acts alleged against the 'Mormons' in Utah are false from beginning to end. At Fort Kearney we learned all about the murder of Colonel Babbit, and do know that that charge against the 'Mormons' is but another of Drummond's creations. I have but a short time at my disposal for writing, but must say, that I am astonished to find in the states, rumors against Utah. We left our homes in peace, dreaming of no evil, and we come here and learn that we are the most corrupt of men, and are preparing for war."²³

22. *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, pp. 214-5. Bolton's letter will also be found at length in Tullidge's *History of Salt Lake City*, pp. 134-6. Bolton's Letter, made into an affidavit by proper acknowledgment, bears date of June 26th. It reached the east in July, and was published in the *St. Louis Republican* of July 26th, 1857.

23. This letter was never published by the *Herald*. Mr. Little, however, handed a copy of it to the editor of *The Mormon* (N. Y.) and it appeared in that paper, impression of April 18th, the editor remarking, after noting that it had been sent to the *Herald*—"we shall now see if Friend Bennet (i. e. of the *Herald*) means anything like fair play." In the impression of *The Mormon* of April 25th, it is noted that the *Herald* had not yet published the letter of Mr. Little contradicting the

OTHER CHARGES—DISAPPOINTED MAIL CONTRACTORS

There were also other communications sent to the east which greatly prejudiced the people of the United States against the people of Utah. These were the outgrowth of disappointed contractors engaged in the western mail service of the government. From the first letting of the contract for carrying the mails from Independence *via* Fort Laramie there had been great irregularity and much loss of mail, with corresponding disappointment and vexation on the part of the people of Utah and the west generally. In September, 1855, the *Deseret News* publishing an official list of the mail arrivals from the east, notes that only three out of its list of fourteen mails had arrived on time and thus comments on the mail service:

"The miserable manner in which 50,000 isolated citizens of the United States are supplied with mail facilities is a disgrace to the gov-

"wicked reports" about Utah, and adds, "*Of course not!*" In the next issue of *The Mormon*, May 2nd, however, it is noted that the *Herald* of Saturday the 25th of April had given a summary of Mr. Little's letter, in "fourteen and a half lines," saying in concluding the summary: "We leave the judge [Drummond] to dispose of these disclaimers by such evidence as he may have in his possession. We have done our part by giving both sides of the story." On which the editor of *The Mormon* remarked: "The *Herald* seems to have a very easy conscience; * * * after publishing week after week the most outrageous attacks upon Utah, he publishes fourteen and a half lines from a friend in Utah, and says he had given *both sides of the story!*" (*The Mormon*, of May 2nd, 1857). This was but a sample of the treatment accorded the "Mormon" side of the question for some time by the press of the east. Here we may as well note the subsequent career and death of Judge Drummond: After his resignation he lived a life of obscurity and poverty. On the 5th of December, 1880, Abraham O. Smoot, formerly mayor of Salt Lake City, was in St. Louis and at his hotel was called upon by a reporter of the *St. Louis Republican*, accompanied by a "man between sixty and seventy years of age, stoop-shouldered, seedy-looking, and wearing an air of general dejection." After some time had passed in conversation between Mr. Smoot and the reporter, the latter said: "Mr. Smoot, I presume you know this gentleman?" "Not that I am aware of," said Mr. Smoot. "Why he was a United States judge in your territory many years ago." Just then the "seedy person" came forward and said his name was Drummond. "Is it possible," said Mr. Smoot, "that this is Judge Drummond of Utah notoriety!" The individual stated again that he was the man. Some disultory conversation and inquiries took place, after which the judge withdrew. "Shortly afterwards, on asking the hotel clerk what Drummond's vocation was, he received the reply—'He's not very well known here; I think he is a sewing machine agent.'" (*Deseret News*, weekly, of Feb. 2nd, 1881, p. 841). The next we hear of Judge Drummond is that he was sentenced to the house of correction for stealing postage stamps in Chicago, Illinois, 28th June, 1885; and on November the 20th, 1888, he died in a grogshop in Chicago, a pauper. (Jenson's *Church Chronology*, under dates above given).

ernment, and a matter of inconvenience, disappointment and loss that none can fully appreciate except those who have experienced it as have the inhabitants of Utah. There is gross injustice, miserable mismanagement, and the dead weight of foul corruption and fogysm somewhere, or such long standing and well known evils would be removed.

Utah is only allowed a monthly mail from the east, and that at the best is not required to arrive until the end of the month, and must leave early on the first of the next month, thus, when it even arrives by the allotted time, (which it has not done for nearly a year) compelling correspondents and business men to omit all, or nearly all, of their answers until another month. Hence, instead of a mail even once a month, it is virtually a mail once in two months in good weather, and twice within the past nine months, once in three months."²⁴

Protests against the irregularity of the arrival of the eastern mail continued into the following summer. The June mail having been delayed for four days within forty miles of Salt Lake, on the plea of the contractors that the Weber river could not be forded, and which the citizens declared "a farm boy could have crossed with impunity," an indignation meeting was held at the Old Council House to protest against the inefficiency of the service. This on the 2nd of June: the meeting adjourned and convened again on the 14th of June when resolutions of protest were adopted and ordered printed in the *New York Herald*, *The Mormon*, New York, the *Luminary*, in St. Louis, and the *Western Standard*, in San Francisco.²⁵

THE "Y. X. COMPANY" ORGANIZATION

The irregularities of the eastern mail service led to the organization of what finally became known as the "B. Y. Express and Carrying Company," a little later abridged to the "Y. X. Company." The purpose of the movement was "to establish a daily express and passenger communication between the western states and California." The sub-

24. *Deseret News* of Sept. 12th, 1855. In addition to the mail to and from the east there had been since 1851 a mail between Salt Lake City and Sacramento, leaving these cities respectively on the first of every month; also a bi-monthly mail between Salt Lake City and the Dalles Oregon; a weekly mail to San Pete valley, and semi-weekly mail to and from Ogden.

25. *History of Brigham Young, Ms.*, entry for June 2nd, 3rd and 14th, 1856, pp. 327-8 and 33-4.

ject was agitated first at Fillmore in the winter of 1855-56, when the legislature and supreme court convened at that place. The meeting of leading men held at Fillmore adjourned to Salt Lake City, where a mass meeting was held on the 26th of January, 1856. The published roster of the officers of that meeting will disclose that it was not exclusively a "Mormon" affair. Governor Young was chosen president; Chief Justice (non-"Mormon") Kinney, Heber C. Kimball, J. M. Grant, Hon. Almon W. Babbitt, Associate Justice G. P. Stiles, (indifferent "Mormon") Surveyor General W. H. Burr (non-"Mormon") Messrs. W. Bell and W. Gerish, merchants, (non-"Mormon"), and Parley P. Pratt were chosen vice-presidents. Wilford Woodruff, Orson Pratt, and W. H. Hooper (the latter a merchant) were chosen secretaries, and Geo. D. Watt, reporter.²⁶

There were speeches and resolutions upon the subject at this meeting; and on the 2nd of February another meeting was held still more enthusiastic. Balloo's band played patriotic airs, among them the Star Spangled Banner. Subscriptions for stock were opened. Governor Young took stock and individually offered to furnish 300 miles of the route. (i. e. with stations, stock, etc.). "One thousand miles was subscribed for, and the large number present unanimously voted to sustain the chartered company in carrying a daily express from the Missouri river to California, and in extending the line as fast and as far as circumstances may permit."²⁷

The formation of this company doubtless led to the very low bid of Hiram Kimball, a "Mormon," for the contract of carrying the mails between Independence and Salt Lake City, since it was designed that the mails should be carried by the "Y. X. Company," as part of its regular business. The contract was awarded to Kimball on his bid of \$23,600.00 *per annum*, the previous contractors, a Gentile

26. *Deseret News* of January 30th, 1856.

27. *Deseret News* of February 6th, 1856.

firm, Hockaday and Magraw, had received \$50,000.00 *per annum*. It was known that the lower bid of Hiram Kimball would barely pay expenses but run in connection with the "Y. X. Company," and owing to the resources in stock, in the number and efficiency of mountain men and plainsmen, and possessing exceptional advantages for organization, it was beyond doubt that the mail contractor and his ally, the "Y. X. Company" would succeed. The contract was awarded to Kimball in October and was to go into effect on the 1st of December, of the same year, and run to the 30th of November, 1860.²⁸

Meantime an enemy had been sowing tares in this fair field of enterprise. Mr. W. F. Magraw, the former mail contractor, being disappointed at his failure to secure a renewal of his contract, determined apparently to have his revenge upon the community of Latter-day Saints, whom he doubtless regarded as having united to be rid of him and his inefficient mail carrying service, of which, through their press, they had often, yet justly complained. Accordingly, Mr. Magraw wrote President Buchanan from Independence, Mo., under date of Oct. 3rd, 1856, in the capacity of "a personal and political friend." He felt it incumbent upon him to lay before the president "some information relative to the present political and social condition of the territory of Utah." "There is no disguising the fact," he continues, *that there is left no vestige of law and order, no protection for life or property; the civil laws of the territory are overshadowed and neutralized by a so-styled ecclesiastical organization, as despotic, dangerous, and damnable, as has ever been known to exist in any country, and which is ruining, not only those who do not subscribe to their religious code, but is driving the moderate and more orderly of the Mormon community to desperation.*"

28. See Letter of Delegate John M. Bernhisel to John Taylor, Oct. 23rd, 1856, *Deseret News* of January 14, 1857.

"For want of time," he explains, he has to generalize; "but particular cases, with all the attendant circumstances, names of parties and localities are not wanting to swell the calendar of crime and outrage to limits that will, when published, startle the conservative people of the states, and create a clamor which will not be readily quelled; and I have no doubt that the time is near at hand, and the elements rapidly combining to bring about a state of affairs which will result in indiscriminate bloodshed, robbery and rapine, and which in a brief space of time will reduce that country to the condition of a howling wilderness."²⁹

One other communication on the subject of alleged "Mormon aggressiveness" is a letter from the Indian agent of the upper Platte, Thomas S. Twiss, addressed to the commissioner of Indian affairs, Hon. J. W. Denver, under date of July 15th, 1857, but calling attention to a communication of earlier date, "April last," in which the agent had called the attention of the department to the settlement being made within the boundaries of the upper Platte agency "by the Mormon church, clearly in violation of law, although the pretext or pretense under which these settlements are made is under cover of a contract of the Mormon church to carry the mail from Independence, Mo., to Salt Lake City." So much evidently repeated from the April communication. In the July letter the agent proceeds to say:

"On the 25th May, a large Mormon colony took possession of the valley of Deer Creek, one hundred miles west of Fort Laramie, and drove away a band of Sioux Indians whom I had settled there in April, and had induced them to plant corn. * * *

I have information from a reliable source that these Mormons are about three hundred in number, have plowed and planted two hundred acres of prairie, and are building houses sufficient for the accommodation of five hundred persons, and have a large herd of cattle, horses and mules.

I am persuaded that the Mormon church intends, by this plan thus partially developed, to monopolize all of the trade with the Indians and whites within, or passing through, the Indian country.

29. Magraw's Letter to the President, *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, pp. 2-3.

I respectfully and earnestly call the attention of the department to this invasion, and enter my protest against this occupation of the Indian country, in force, and for forcible ejection of the Indians from the place where I had settled them.

I am powerless to control this matter, for the Mormons obey no laws enacted by congress. I would respectfully request that the president will be pleased to issue such order as, in his wisdom and judgment, may seem best in order to correct the evil complained of."³⁰

This is rank misrepresentation throughout and especially as to the number engaged in and the purpose of the settlement in Deer Creek valley. With reference to the settlements to be formed along the line of the mail route it was explained at the April conference of the church of that year, held at Salt Lake City, that the purpose was "more particularly to facilitate immigration by establishing *temporary* settlements;"³¹ and only twenty men were called at this same conference to engage in that service.³²

NOTE

EVIDENCE OF THE DEATH OF HON. ALMON W. BABBITT, AT THE HANDS OF CHEYENNE INDIANS, SEPTEMBER, 1856

"We notice in the letter of resignation, of Hon. W. W. Drummond to Attorney-General Black, that he there, among other very grave charges, asserts that the Hon. A. W. Babbitt was murdered by white men disguised as Indians, by order of the authorities of Utah. In justice to the parties thus maligned, we will state that we have taken much pains to gather all the information possible calculated to throw light upon the death of our relative Mr. Babbitt, and the particulars connected with the same; and we have not a shadow of doubt but that Indians of the Cheyenne nation murdered him for revenge and plunder; and for the satisfaction of his friends who have not heard the full particulars, we will recount them briefly.

As secretary of Utah, the late and lamented Colonel Babbitt purchased the stationery and other necessities for legislative purposes, etc., and at a proper season started it from Florence across the plains with ox teams, under the charge of a Mr. Nickols. Late in August, with only one attendant and in an open carriage, Mr. B. left Florence for Utah. Upon arriving at Fort Kearney, he there found some of his

30. *House Executive Documents*, 35th Congress, 1st Session, x, No. 33, from the Indian department.

31. Remarks of D. H. Wells, see Minutes of Conference in *Deseret News* of April 15th, 1857.

32. The list of names will be found in *History of Brigham Young, Ms.*, entry for April 21st, 1857, pp. 167-8.

stock, his wagons, and a portion of the goods, and one man wounded from his train, being all that remained, four of the number having been killed, three on the spot and one (Mrs. Wilson) the next day after capture.

Mr. Babbitt hastened to purchase more cattle, and gathering up the remains of his freight, started the train again forward, and wrote us two several letters, stating that he would start forward himself with two attendants the day following. These, are probably, the last words he ever wrote.

Mr. Babbitt left the fort as had been arranged, and was never again seen by white men. All the emigration were ahead. He intended to reach Fort Leavenworth [Laramie] in three days, and was making good his time. Some weeks later, an Indian came in to a French trader's station with a gold watch, which bore the initials of Mr. B.'s name, and soon another came with a massive ring, which was also marked as a seal ring.

The Indians then being charged with the murder acknowledged they had done it. News was sent to the fort and Major Wharton immediately sent out a detachment in search, which found Mr. Babbitt's carriage, trunk and many valuable papers; but nothing of the unfortunate victim but a few bones.

The Indians then confessed that, having been insulted and abused by the parties in charge of the mail, and then were killed by the soldiers, a company of twelve had fallen upon Mr. Babbitt's ox team as being the first they had met, to avenge the wrong. That they had seen Mr. Babbitt arrive at the fort and knew him, (he having crossed the plains nearly twenty times) and that he was a big man, and, by killing him, they might be likely to get plunder and revenge at the same time. They had gone on ahead and lay in wait; when he passed they followed him at a distance until he had stopped, the second day in the afternoon. Then they rode down upon him, yelling and screaming. Mr. B. shouted at them and motioned them to stop and pointed his pistol at them; but they passed on and he fired at them.

Frank Rowland (a young man accompanying him) stood with his arms at his side until shot down; the other man ran away in the willows. The colonel fought like a tiger, fired all his arms, then clubbed his rifle and fought the whole twelve savages, disputing every inch, as he slowly backed up to his carriage for protection behind. He had seriously wounded several, when one, more cowardly than the others, jumped up into the wagon, and, with the tomahawk, killed a brave and noble man.

Major Wharton still has possession of the ring which he obtained of the Indians, and some other valuables and relics, found on the spot of the murder.

Mr. —————, a French trader, has a fine gold watch which belonged to Mr. B., which he purchased of the Indians, together with some articles of minor value.

All that is now known of the murder of the late Mr. Babbitt, is obtained through the Indians themselves, who acknowledge they committed the murder.

It seems to be a very malicious charge the ex-judge is thus making

against the people of Utah, without anything to justify him in doing so.

The widow of the late Mr. Babbitt is now on her return from Utah to this place. Upon her arrival, we shall, at the earliest moment, announce the receipt of anything further connected with his murder."³³

Mrs. Babbitt, according to the expectation expressed in the above narrative in the *Oracle*, arrived in Crescent City, and, under date of July 11th, 1857, addressed a letter to the *New York Herald* giving the results of her investigations at Fort Laramie and New Fort Kearney. Her letter appeared in the *Herald* under the caption:

COLONEL A. W. BABBITT'S MURDER

Interesting letter from his widow—Her melancholy investigation of the circumstances of His Death—The Cheyenne Indians His Assassins—all white men acquitted of the charge.

The story of her letter was substantially the same as that published by her brother, J. E. Johnson, in the *Oracle*. In concluding her letter to the *Herald*, Mrs. Babbitt said:

"I have not a shadow of suspicion that white men were in any way concerned in his death—the newspaper story that he was killed by the 'Mormons' to the contrary notwithstanding. As an act of public justice, I ask you to lay these facts before the people, that my friends and the many friends of my husband may know the facts relative to his melancholy death."

[Signed] "JULIA ANN BABBITT."³⁴

33. *Crescent City Oracle* of 22nd May, 1857, copied into *Millennial Star*, vol. xix, p. 443. The essential facts of this narrative were also published in the *Council Bluffs Bugle* several months before they appeared in the *Oracle*. The *Bugle* statement is copied into the *Millennial Star* of Dec. 27, 1855.

34. The letter is copied from the *New York Herald* into *The Mormon* of August 1st, 1857.

CHAPTER CIV

THE "UTAH WAR" PERIOD: THE CASUS BELLI—THE "MORMON QUESTION" A NATIONAL PARTY ISSUE

THE reader now has before him the substance of all the documents giving the "information" upon which the Buchanan administration believed itself justified in sending an army of two thousand five hundred soldiers to Utah with the necessary equipment, baggage, and supply trains; with great herds of cattle for meat supplies; with the necessary large number of servants, and teamsters; and the inevitable camp followers and adventurers that accompany such enterprises, with the attendant enormous expense of sending such an expedition through a thousand miles of wilderness, to a wilderness, there to be maintained for no one knew how long, and then to be returned through the thousand miles of wilderness at as great an expense as was incurred in getting them to their destination—surely this "Expedition" presented opportunity for "fat picking" by government contractors and justified those who named the "Utah Expedition" the "Contractors War."¹ All this was occasioned by what the administration at Washington was pleased to regard as "the

1. Tullidge's *History of Salt Lake City*, p. 156. Also the following from Bancroft: "The price to be paid for the transport of stores, provisions, and munitions of war was at the rate of twenty-two cents a pound; and thus it will be seen that if the 'Utah War' served no other purpose, it made the fortunes of those who secured the government contracts. Through a little dexterous manipulation at Washington, permission was given to the man who secured the flour contract to furnish Utah flour, and this he did at a cost of seven cents per pound, receiving, of course, meanwhile, the money allowed for freight, and netting in a single year the sum of \$170,000 [on that item alone]. The troops remained in the territory for about four years, and no wonder that they often asked one another, 'Why were we sent here? Why are we kept here? What good can we do by remaining here?' No wonder also that the people asked, 'Were they retained in Utah in order to fill the purses of the contractors?'" (Bancroft's *History of Utah*, p. 498). Greeley in his *Overland Journey*, (pp. 252-3) says that this instance [i. e. the graft on the flour item] had become notorious at Washington. Stenhouse relates that the man who obtained the flour contract received an order for his money payable at Camp Floyd, but had the choice of receiving in lieu army mules at a certain calculation. He chose the latter, and sending them to California realized a profit of nearly 600 percent on his money. (*Rocky Mountain Saints*, p. 416. For further specimens of sharp practice, see *San Francisco Bulletin*, June 8, Aug. 20, 22, 30, 1859, referred to by Bancroft, *History of Utah*, p. 498, note).

community and, in part, the civil government of Utah territory," being in "substantial rebellion against the laws and authority of the United States." For which reason the administration announced through the war department that "a new civil governor" was "about to be designated, and to be charged with the establishment and maintenance of law and order." And "your able and energetic aid," wrote the war department to General Harney,—who was first designated to command the "Expedition"—"with that of the troops to be placed under your command, is relied upon to insure the success of the mission."²

THE GROUND PLAN OF THE "UTAH EXPEDITION"

This attitude of the administration was assumed, and this "Expedition" undertaken on the "information" supplied by the communication (1) of the "run-a-way judge," W. W. Drummond; this man who had outraged every principle of decency by deserting his wife and family in Illinois and placing a prostitute beside him upon the judgment seat in Utah, and whom even non-"Mormons" denounce—as we have seen—as a blackleg and a gambler; a profligate and a liar: and (2) on the communication of the disappointed and disgruntled mail contractor, Magraw; accompanied, it should be admitted, by some reports of "run-a-way United States officials," disgruntled sub-Indian agents, whose actions have been considered in a previous chapter, and by common report and the misrepresentations that have usually attached to all things connected with the Latter-day Saints. But I insist that the only foundation or excuse the Buchanan administration had for sending this armed "Expedition" to Utah was supplied by the above named two documents.

Upon these two documents, then, the Buchanan ad-

2. The quotations in the text above are from a letter of instructions to General Harney, signed by Geo. W. Lay, *aid-de-camp* to General Scott, commander in chief of the United States Army, *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, p. 7; also given in full in Tullidge's *History of Salt Lake City*, p. 122.

ministration, without previous investigation, acted in the matter of this "Utah Expedition;"³ and, moreover, that administration confined itself in the main to the suggestions made in the communication of Judge Drummond, *viz*, the appointment of a non-"Mormon" for governor, to be supported by "sufficient military aid."

QUESTION ON THE JUSTIFICATION OF THE WASHINGTON
ADMINISTRATION

And now let the situation in Utah be considered, and see if that situation was such as to justify the secret formation of such an "Expedition," much less justification for sending such an "Expedition" without first making official investigation of the charges against the Latter-day Saint community in Utah.

Respecting the phrase "secret formation of the 'Expedition'," it may be asked if such a thing as "a secret 'Expedition'" was possible to which the answer is, yes, under all the circumstances of distance and isolation of the community to be moved against, and the absence of other means of communication between Missouri river points and Salt Lake valley than a monthly mail; and even this was cut off for months previous to the order to form the "Expedition," and entirely suspended by formal government action in June—the mail that would doubtless have brought the news of the outfitting of the "Expedition." The postmaster at Independence, acting under instructions from the department at Washington, refused to deliver the June mail to the agents of the new contractor, because of delay in executing acceptance of the government award of contract beyond the date fixed for execution, and "the unsettled state of things at Salt Lake, rendering the mails unsafe under present circumstances."⁴

3. On the occasion of Captain Van Vliet's visit to Salt Lake City as the advance courier of the army, President Young in the interview that is now historic put to him directly the question: "I will now ask Captain Van Vliet if Drummond [i. e. Drummond's communication] was not the main cause of the United States sending their armies against us." "I think it is," was the captain's answer. (*Journal of Wilford Woodruff. Ms.*, entry for Sept. 12th, 1857).

4. *Deseret News* of Aug. 5th, 1857.

The annulment of the mail contract, is of such importance as showing the unfair treatment of the Latter-day Saint community in Utah, that it is worthy of further consideration.

The letter from the postal department at Washington making the announcement of the disannulment is here given at length:

POSTAL DEPARTMENT'S LETTER TO HIRAM KIMBALL

“Post Office Department,
Contract Office,
June 10th, 1857.

SIR: The Indentures of Contract for the conveyance of the mails on route No. 8911—Independence, Mo., to Salt Lake City, Utah, sent for execution to the care of P. M. Salt Lake City on the 16th October, last, do not appear to have been executed by you until the 24th March following. The delay in executing and the unsettled state of things at Salt Lake rendering the mails unsafe, under present circumstances, the postmaster-general declines extending the time for execution beyond the period mentioned in the advertisement; and, therefore, declines to accept the contract executed by you. Hence your service on the route will cease.

Very respectfully,
Yr. Obt. St.

WM. H. DUNDAS
2d Asst. P. M. General.

MR. HIRAM KIMBALL,
Salt Lake City,
Utah Territory.”

It will be observed that Oct. 16th is the date on which the contract was sent from Washington for execution. December the 1st was the time limit fixed in the advertisement for the execution of the acceptance. The contract mailed at Washington in the middle of October would not leave Independence until the 1st of November, and if regular schedule time was made—a thing most unlikely at that season of the year—the mail would not reach Salt Lake City until the 1st of December, the day that the time for executing the acceptance would expire. But the November mail left Independence on the 8th of November, instead of the 1st. No duplicate was mailed *via* Isthmus of Panama and California,

and the eastern mail for November, with the postal contract, did not reach Salt Lake City until the 24th of March, 1857, the mail for that month as also for October, having been held through the winter by the old contractors at Platte Bridge. It was utterly impossible, therefore, for the new contractors to sign the acceptance of contract within the time limit.⁵ As for the second reason assigned for refusing to deliver the mail to the new contractor, *viz*, "the unsettled state of things at Salt Lake rendering the mails unsafe," in this the postal department was accepting without verification and acting upon the malicious suggestion of the disappointed mail contractor, Magraw, and the disreputable Judge Drummond; gratuitously, however, extending the application of "the unsettled state of things in Utah" to postal affairs, since neither Magraw nor Drummond even hinted that the postal service was menaced by the alleged "unsettled state of things." The Latter-day Saint community in Utah of that period can well demand the judgment of "history" against the administration at Washington as to whether or not they were then accorded fair treatment, nor doubt the verdict.

A DEEPER LOOK INTO THE CAUSES OF "THE WAR"

But now to look deeper into the causes, on the side of the general government, that led to this "war." It seems

5. *Deseret News* of March 25th, 1857; also of May 13th. "Our calculations concerning the arrival of the eastern mail," said the *News* of the 13th of May, "have failed, after all the care that was taken to arrive at correct conclusions; but we cannot think that the failure is any fault of ours. There is some mystery connected with the matter that we have not been able thus far to solve. It is now exactly six months since Mr. Gerrish left Independence, in company with [in charge of] the November mail which arrived here on the 24th of March." Early in February *The Mormon*, and a few lines from Delegate Bernhisel, reached Salt Lake City by the California mail, incidentally referring to the fact that the contract for route 8911—Independence, Salt Lake City—had been awarded to Mr. Kimball, but nothing could be done in the way of "signing acceptance" until the arrival of the contract. But, as we have already seen, the postmaster at Salt Lake made special contract for carrying a mail from Salt Lake eastward in midwinter; another was sent east February 7th, another in March, and another on the first of April, the 1st it was possible to send after the signing of the acceptance of contract; but acting on the informal information received *via* California mail, for two months establishing and stocking of mail stations on the route had been in progress. (See *Deseret News* of Aug. 5th, 1857, for extended comment on annulment of contract, etc.).

incredible that such an "Expedition," involving the movements of so large a body of troops and at the expenditure of millions of the nation's treasure, should have been undertaken upon the representations of a dissolute judge, and the spite of a disgruntled mail contractor; and this, too, without one step being taken to verify the truth or untruth of the representations made; and notwithstanding also the willingness and indeed the desire expressed in Utah for such an investigation, as will appear from the following editorial in the *Deseret News*, of the 1st of July, 1857,—twenty-three days before the first word reached Utah of the military movement the administration had set on foot. It makes for its strength, too, that the editorial is addressed to "President Buchanan and Cabinet."

ADVICE TO PRESIDENT BUCHANAN AND CABINET: DEMAND FOR A COMMISSION OF INVESTIGATION

"What, from Utah? [advice?] *Ay, from Utah.* And it can come from no better source, save one, and that one other the world do not seem to be very ready to hearken unto. [Source of Division wisdom.]

Editors and office-hunters are constantly dinning the ears of the president with the cry that 'the Mormon problem is a knotty one;' the matter becomes exceedingly complicated; 'the Mormon question is assuming a shape that will not permit its solution to be much longer delayed;' something, 'hit or miss, right or wrong, must be done with Mormons;' and so forth and so on.

Now it is notorious to all who read and fairly think, that this noise and smoke are raised without the first shadow of occasion given by the people of Utah, who are quietly pursuing their peaceful and legitimate occupations, breaking no applicable law human or divine. But the universal yell is, '*President Buchanan must do something with the Mormons!*' Not yet knowing how long and how well he will be able to withstand the terribly clamorous and unjust outside pressure, and we being known to be on the side of economy as well as justice, we most respectfully suggest, in case he cannot withstand the pressure, *that he select one or more civilians unbound by any 'ism' or 'isms,' if such can be found, also intelligent, strictly honorable, upright and gentlemanly, in the true sense of those terms, and send them to Utah on a short visit to look around and see what they can see, and return and report.*

This is certainly fair, is very economical, and should be perfectly satisfactory to the most rabid 'Mormon' eaters. But in case that should not suit the fire-eating, blood and thunder, * * * and fury, spoils-

seeking, office-hunting and black-mail-levying portion of the community, we suggest to them that they send a committee from their own clans, and so long as they behave at all as white men should, we will guarantee that Governor Young and the people of Utah will treat them with more true courtesy and kindness than they have ever met with."

SENATOR STEPHEN A. DOUGLAS ON "RUMORED" CONDITIONS
IN UTAH

Referring again to the documents supplied by the communications of Messrs. Drummond and Magraw, there exists good evidence that these were not regarded by the administration during the formation of the "Expedition" as rising in dignity beyond other "rumors" and "reports" that were current at the time. This remark is based upon the fact that Senator Stephen A. Douglas, the most potent factor of the political party in power, at the time, addressed a meeting in the statehouse at Springfield, Illinois, on the 12th of June, 1857, in which he characterized what had so far been heard concerning Utah as "rumor" and "report." Mr. Douglas had been requested to speak at this meeting on three subjects: Conditions in Kansas; the Dred Scott Case; "the Condition of Things in Utah, and the Appropriate Remedies for Existing Evils."⁶

When Mr. Douglas came to the part of his speech dealing with Utah, he said:

"If we are permitted to place credence in the *rumors and reports from that country*, (and it must be admitted that they have increased and strengthened and assumed consistency and plausibility by each succeeding mail), seven years' experience has disclosed a state of facts entirely different from that which was supposed to exist when Utah was organized. These rumors and reports would seem to justify the belief that the following tracts are susceptible of proof.

1st. That nine-tenths of the inhabitants are aliens by birth, who have refused to become naturalized, or to take the oath of allegiance, or to do any other act recognizing the government of the United States as the paramount authority in that territory.

2nd. That all the inhabitants, whether native or alien born, known as Mormons, (and they constitute the whole people of the ter-

6. The speech was published in full in the *Missouri Republican* of the 18th of June, 1857.

ritory), are bound by horrid oaths and terrible penalties, to recognize and maintain the authority of Brigham Young, and the government of which he is the head, as paramount to that of the United States, in civil as well as in religious affairs; and they will, in due time, and under the direction of their leaders, use all the means in their power to subvert the government of the United States, and resist its authority.

3rd. That the Mormon Government, with Brigham Young at its head, is now forming alliance with Indian tribes in Utah and adjoining territories—stimulating the Indians to acts of hostility—and organizing bands of his own followers under the name of ‘Danites or Destroying Angels,’ to prosecute a system of robbery and murders upon American citizens, who support the authority of the United States, and denounce the infamous and disgusting practices and institutions of the Mormon government.”

Dealing with these conditions, professedly based on “rumors” and “reports,” he said:

*“Let us have these facts in an official shape before the president and congress, and the country will soon learn that, in the performance of the high and solemn duty devolving upon the executive and congress, there will be no vacillating or hesitating policy. It will be as prompt as the peal that follows the flash—as stern and unyielding as death. Should such a state of things actually exist as we are led to infer from the reports—and such information comes in an official shape—the knife must be applied to this pestiferous, disgusting cancer, which is gnawing into the very vitals of the body politic. It must be cut out by the roots, and seared over by the red hot iron of stern and unflinching law. * * * Should all efforts fail to bring them [the Mormons] to a sense of their duty, there is but one remedy left. Repeal the organic law of the territory, on the ground that they are alien enemies and outlaws, unfit to be citizens of a territory, much less ever become citizens of one of the free and independent states of this confederacy.”*

It was on the 12th of June that this speech of Mr. Douglas’ was delivered, be it remembered. The “Utah Expedition” had been projected some months before, and a number of its supply trains were now well on their way to Utah; and yet this foremost man of the political party in power, and spokesman for the administration, *was confessing that no official evidence had yet arrived that justified any action on the part of the government against Utah, unless it was to be justified by the “rumors” and “reports” on which Senator Douglas, when they were proven true, would be willing to proceed with the drastic measure proposed in his speech!*

DEMOCRATS vs. REPUBLICANS ON TERRITORIAL POLICY—THE
"TWIN RELICS"

But why had the administration proceeded with the "Utah Expedition" in the absence of official, and well established evidence of the "rebellion" it feigned to believe existed, and proposed to repress? The question admits of but one answer: The Latter-day Saints in Utah were in disfavor with the populace; the Republican party, springing into existence in 1856, put forth its first candidate, John C. Fremont, a strong anti-"Mormon;" this fact, and its first platform, placed the Democratic party at great disadvantage before the country on the "Mormon" question. The Democrats had adopted the "squatter sovereignty" doctrine of Douglas relative to the settlement of the slavery question in the territories, namely, that when a territory was to be admitted as a state, it should enter the Union "with or without domestic slavery" as the people might elect.⁷ Issue was taken with this position by the Republican platform adopted eleven days later at Philadelphia, in which it—

"Resolved, That the Constitution confers upon congress sovereign power over the territories of the United States for their government, and that in the exercise of this power it is both the right and the imperative duty of congress to prohibit in the territories those twin relics of barbarism—polygamy and slavery."⁸

The Republican argument then ran:—If the people of a territory have the right to determine for themselves the question of slavery, why have they not equally the right to determine for themselves the domestic institution of marriage? The Democrats did not dare to follow their principle this far in the face of popular displeasure against the "Mormons," and their plural marriage doctrine; and as the people of Utah had no votes to effect the membership of either house of the national congress, or the result of a presidential election,

7. See Democratic Platform, Cincinnati, June 6th, 1856; see Cooper's *American Politics*, bk. ii, Platforms, pp. 36-39.

8. Republican Platform, Philadelphia, June 17th, 1856; Cooper's *American Politics*, bk. ii, Platforms, p. 39.

the national administration by its "Expedition" and Mr. Douglas by his speech, took the first opportunity to show that the Democrats, no less than the Republican party, were thoroughly anti-"Mormon;" and hence this effort of the administration, and the Democratic leaders to square their party action with the demands of the popular clamor against the Latter-day Saints in Utah, must be regarded as the underlying ministration in sending its armed "Expedition" to Utah.⁹

WAS THE "UTAH EXPEDITION" PART OF THE CONFEDERATE DIS-UNION AND PRO-SLAVERY PLANS

It has also been suggested that another cause of the "Utah War" originated in the desire of the then secretary of war, Mr. John B. Floyd of Virginia, "to scatter the United States forces and arms preparatory to the confederate rebellion."¹⁰ This "Utah Expedition," however, was planned so long before the opening of the war between the states, that the likelihood of it is of remote probability; though it may have

9. Elder John Taylor, successor to Brigham Young in the presidency of the church, and editor of *The Mormon*, during the formative period and starting of the "Utah Expedition," living in New York, and therefore informed as to the moving cause of that action, emphasized this particular cause of the "Utah War" in both his speeches and writings. In an address to the saints in Salt Lake City August 23, 1857, in explaining the cause of the army being sent to Utah, and, as he alleges, with "sealed orders," he said: "The Republicans were determined to make the 'Mormon' question tell in their favor. At the time they were trying to elect Fremont they put two questions into their platform, viz: opposition to the domestic institutions of the south and to polygamy. The Democrats have professed to be our friends, and they go to work to sustain the domestic institutions of the south and the rights of the people; but when they do that the Republicans throw polygamy at them and are determined to make them swallow that with the other [i. e. slavery]. This makes the Democrats gag and they have felt a strong desire to get rid of the 'Mormon' question. Some of them, I know, for some time past, have been concocting plans to divide up Utah among the several territories around, and I believe a bill having this object in view was prepared once or twice and came pretty nearly being presented to congress, but that was not done. * * * They wish now to steal the Republicans' thunder, to take the wind out of their sails, and to out-Herod Herod. Say they: 'We, who profess to be the friends of the Mormons and support free institutions, squatter sovereignty and equal rights, will do more to the Mormons than you dare do; and we will procure officers by that means and save our party,' and, as Pilate and Herod could be made friends over the death of Jesus, so they go to work and plan our sacrifice and destruction and make up friends on the back of it." (*Deseret News* of 2nd Sept., 1857).

10. Taylor and Colfax Debate, *The Mormon Question*, p. 22. This was a matter of sincere conviction of the late Mr. Isaac K. Russell of Utah, journalist.

been an after thought connected with the incident of the "Expedition," which resulted in the prolonged stay of the army in Utah—until the summer of 1861, by which time the war between the states had begun.

Reference has already been made to the part which the repacity of government contractors would likely play in giving encouragement to the "Utah Expedition," because of the opportunity it would afford for fortune making.

And now to take up the situation in Utah preceding the projection of the "Expedition," as suggested a few pages back, in order to ascertain if there was in those conditions any justification for such an action.

PRE-"EXPEDITION" CONDITIONS IN UTAH

First: there is the effort on the part of the Latter-day Saint community to establish the express and carrying company described in the preceding chapter, which by uniting with its express and carrying business, daily transportation of the mails, would give more frequent communication between the people of Utah and the eastern states, resulting inevitably in a closer union and a larger sympathy on the part of the people of Utah and their fellow citizens of the eastern states. This enterprise—as we have already seen—carrying with it such results, the people of Utah had undertaken with enthusiasm.

Second: we have already seen how the legislature of 1851-2, and legislatures at subsequent sessions, had petitioned the congress of the United States to establish a weekly mail between Missouri points and Salt Lake City; to build a territorial road from some northern settlement in Utah *via* Fillmore to southern California; that they petitioned for a geodetic survey within the territory, in continuation of Captain Stansbury's scientific work; they asked the general government to locate, grade and macadamize a national turnpike from the mouth of the Nebraska river to Sacramento, *via*

South Pass and Salt Lake City, and this in the interest of transcontinental immigration; they petitioned for a transcontinental telegraph line and railway, *via* Salt Lake City. All this was practically petitioning for closer union and freer intercourse with their fellow citizens of the eastern states. If the ulterior aim of the "Mormon" leaders was isolation of their people into a distinct and separated community, then their course involving the above mentioned efforts for more frequent intercourse and closer union with their fellow citizens of the eastern states, was destructive of such a purpose.

STATEHOOD APPLICATION

Third: the year preceding the coming of the "Expedition" the people of Utah had met with a great disappointment in the matter of an application for statehood that had been planned for by the legislative assembly of 1855. Yet, in referring to that matter in an explanatory way, Governor Young alluded to it more in sorrow than in anger, or bitterness, in the following passage—from his message to the legislature—and this is his only reference to the federal government in his message of 1856:

"In accordance with acts of the legislative assembly, a Constitution was formed and adopted, the census taken, and delegates chosen to present our application to congress for admission into the Union as a sovereign and independent state. Recent advices from our delegates show that our application has not been presented, *owing to the intolerance evinced by the predominant party in the house of representatives.*

The enumeration of the inhabitants showed a population of near 77,000 in this territory, and it is presumed that the addition to our numbers, since that was taken; would amount to about twenty thousand. This gives an aggregate equal to or exceeding the ratio of representation for congressmen, removing every objection, if any were made, to our admission, on the score of insufficient population."¹¹

11. *Deseret News* of Dec. 24, 1856, p. 333. In his message a year previous Governor Young had said upon the subject of statehood:

"We trust that the present congress will have wisdom to so far recognize the principle of self-government, and the genius of our free institutions, as to abolish in her territories that odious, tyrannical, and absurd system of colonial government which emanated from the British throne and place them upon that equality of constitutional rights enjoyed by the states in their internal regulations, election of officers and representation."

MANIFESTATION OF UTAH PATRIOTISM

Fourth: as a further means of ascertaining the spirit of conditions existing in Utah prior to this armed "Expedition" to the territory take into account the sentiments expressed at the recurring anniversary of the nation's birth—the Fourth of July. To go no further back than the year preceding the projection of the "Utah Expedition," 1856,—(the day was celebrated annually and without omission from the year of the organization of the territory, misrepresentations to the contrary notwithstanding)¹²—the following took place:

"At sunrise the stillness of the morning was broken by firing a national salute of 13 guns from the arsenal, which was the signal for ringing of bells and hoisting of flags.

The mammoth United States flag was hoisted upon the temple block, under the direction of A. N. Hill, esq., and flags were displayed from the cupola of Governor Young's residence, at Livingston Kincaid & Co's, Hooper & Williams', Gilbert & Gerrish's and the Church Stores, Townsend's and Wilkin's Hotels, and Whitehouse's Shop, together with a great variety of banners and mottos at the different stores and private residences. * * *

The bands under the direction of Major William Pitt, played at the residences of Governor Young, Hon. H. C. Kimball and Lieutenant General D. H. Wells; after which all the Nauvoo brass band, mounted, and Balloo's and martial bands, in omnibuses, passed through the principal streets discoursing beautiful and harmonious strains of music, indicating to the citizens that the anniversary of American Independence was to be celebrated with joy and thanksgiving."

There was a great procession through the streets of the city, in which Hon. George P. Stiles, associate justice of the United States supreme court, and General D. H. Burr, United States surveyor general for Utah, were given a prominent

12. It is quite generally believed that the annual celebration of the 24th of July by the people of Utah, commemorating the advent of the Latter-day Saint Pioneers into Salt Lake valley, supplanted in their affections as in their observance the nation's birthday anniversary. In proof that this was not the case previous to the "Utah Expedition" (and it is not true of the years subsequent to that event) I cite the account of the recurring celebrations, each of which was an elaborate affair:

July 4th, 1850—*Deseret News* of July 6th, 1850.
 July 4th, 1851—*Deseret News* of July 12th, 1851.
 July 4th, 1852—*Deseret News* of July 10th, 1852.
 July 4th, 1853—*Deseret News* of July 9th, 1853.
 July 4th, 1854—*Deseret News* of July 13th, 1854.
 July 4th, 1855—*Deseret News* of July 18th, 1855.

place—among the immediate guests of the governor—and saluted with the firing of cannon. At the place of speech-making the Constitution of the United States was presented and read by Thomas Bullock “followed by three cheers from the troops and assembled multitude, a roll of drums and music by Captain Balloo’s band.” The oration of Governor Young was a written speech, read by Thomas Bullock. Excerpts follow:

PATRIOTIC SPEECH OF GOVERNOR YOUNG—EXCERPTS

“Brethren and Friends:

Eighty years ago, on the day we now celebrate, our forefathers, few in number but strong in their united love of right, declared to the mother country and the world that they were, ‘and of right ought to be, free and independent.’ The oppression which hastened this declaration, the long struggle, the sacrifices and hardships which followed, and the glorious results are so generally known that I need not task your patience by rehearsing them on this occasion. * * * Glancing at the past, perhaps we, as a people, have more reason to respect, honor, love and cherish the government of the United States, her Constitution and free institutions, than any other people upon the face of the earth; but it is lamentable that professed statesmen should so far deviate from wise and correct principles of republican government, as to fail of being entitled to that respect and confidence which ought to be deserved by those entrusted with its administration. In this connection, permit the reflection as to what favorable action we are indebted for our existence as a people.”

He then proceeds to acknowledge God’s providence in the preservation of the Latter-day Saints, and their establishment in Utah’s valleys, then continues:

“We live through the blessings of the Almighty, and by his providence we have nourished and sustained ourselves; we are willing to continue so to do. We came here to be free from oppression and mobocracy, and we do not wish such characters to follow us, or to tarry in our midst. But we say to all lovers of freedom, virtue and good order, in every land, you are welcome, for you will respect our rights, our laws, and the legitimate obligations of our republican government.”

The difficulties encountered in the settlement of the Great Basin valleys are then discussed:

“But amid all these disadvantages, unendurable by any other people, we are still striving to extend the area of freedom, and to gladden

the most uninviting domain of a great nation with the blessings and privileges of her free institutions."

After this the speaker holds that if the Latter-day Saints "should leave these sequestered vales, they would soon revert to their former waste condition—silence would again assert her supremacy." And then:

"The country suits us merely because no other well informed people can covet its possession. If they do, it is because they grudge us an existence upon any part of God's footstool. There is nothing here, except what is produced by the most arduous toil, and that often unrequited, to tempt the avarice or cupidity of any reasonable creature. It is useless, therefore, for official cliques, who never have identified their interests with the welfare of this territory, and who never intend to, to seek to dictate, govern and control us.

In view of these facts, we fondly anticipate soon seeing the day when, in accordance with the spirit and intent of our republican government, we shall be blest with the full enjoyment of our rights and have the privilege of electing officers of our own choice, and be free from the imposition of those known to be unsolicited and unsought upon our part, and who feel no interest in our prosperity, but would much rather see us languish and come to naught."

After discussing the evil effects of lawlessness in various places manifest throughout the United States, he strikes a truly noble and patriotic vein, in a discussion of what should be the national policy:

"Here let us pause and consider the true principles of a republican government. It is and can be based only in a high tone and sense of honor, liberal, enlightened, intelligent and extended views of human existence and progress, and a faithful adherence to the Constitution and laws of the country. The least departure from these principles, the least disregard to law, manifested and exercised by the people in their sovereign capacity, and we have the worst of all despotisms, a hundred, a thousand tyrants instead of one. Public security fails and there remains no safety for life, liberty, or the pursuit of happiness; anarchy, confusion, infuriated and maddened excitement rule supreme. * * * Neither partisan nor private feeling nor sectional strife and contentions, should be permitted to thwart the enlightened and conservative policy of the government. At the same time that policy should be just and liberal, and commensurate with the laudable desires and requirements of a great and mighty people. * * * Let her steadily progress in the march of improvement and patriotism and in the arts and sciences; and corresponding with a great and pacific policy, open and extend channels of trade and commerce, and provide with a liberal hand for the development of her vast internal resources by affording to her most distant states

and territories railroad facilities, magnetic telegraphs, and such other useful and important helps as shall be conducive to the public interests."¹³

Such the patriotic sentiments and the political principles of Governor Brigham Young, and if he had the influence with his people that is usually accorded to him, then the sentiments and the principles also of his people. And this was the governor of a territory against whom the fulminations of a Drummond and a Magraw were to prevail! Among the many toasts given on the occasion here described were the following:

"Brigham Young: The Champion of Constitutional Liberty.

Deseret—May she soon have her place in the Union as a state, and though last as a star in the galaxy of American glory, may her progress be like that of Venus, to usher in the light of freedom, commerce and intelligence, to the western world: based on the rights of universal justice, righteousness and loyalty to the federal government."¹⁴

THE FOURTH OF JULY—CELEBRATIONS OF 1857

In the year 1857, even when the advanced companies of the "Utah Expedition" were upon the march—albeit unknown to the people of Utah—the nation's natal day was fittingly observed. In the account of the celebration in the *Deseret News* of that year the boast is made that the Fourth of July was more fittingly observed in Utah than elsewhere in the land; with less of drunkenness, fighting and confusion than in the eastern states perhaps—

"But if a true love of the Constitution and the wholesome laws of the Union, and the deep gratitude for the noble action of our forefathers on the Fourth of '76 are to be the criterion, then most assuredly and indisputably does Utah shine peerless among her sisters.

For a goodly portion of the day all business was suspended, and all offices and stores closed, that every class might participate in the parade and festivities commemorative of the eighty-first anniversary of our Independence. The stars and stripes and other flags gracefully

13. *Deseret News* of July 9th, 1856, where the speech is given *in extenso*.

14. *Deseret News* of July 9th, 1856. An editorial note of the same impression says: "The Fourth of July was enthusiastically celebrated in this city, as may be readily inferred by reading the reported proceedings printed in this number. So far as we can learn, such has been the case throughout the numerous cities and settlements in Utah." The statement in the last sentence above was also quite generally what happened throughout all the years, mentioned in note 12.

floated over the governor's mansion, the Council House, the Deseret Store, and the Stores of Messrs. Livingston, Kincaid & Co. and Gilbert and Gerrish [non-'Mormons'].

The sky was clear, the atmosphere tempered by a delightfully coolish breeze, and the index of a deep, calm enjoyment rested upon every countenance within our view.

The military procession was imposing, and the evolution of the troops were unusually indicative of decided improvement."¹⁵

The celebrations of the day in settlements outside of Salt Lake City seem to have been particularly numerous that year. The *Deseret News* of the 15th of July publishes the account of the celebration and gives the program of the day's proceedings in the following places: Farmington and Kaysville, Davis county; Ogden, Weber county; Grantsville, Tooele county; Pleasant Grove and Payson, Utah county. The *News* of the 22nd of July, gave the program and an account of the celebration in Provo, Utah county; and Manti, San Pete county. Among the toasts in these outlying settlements were the following:

"*Uncle Sam*: May he remember that all domestic questions must be settled by the people.

President Buchanan: May the spirit that dictated his inaugural address guide him in his administration.

President Buchanan: The people's choice:—may he be governed by principle, and not by party cliques.

The Valleys of Deseret: Cradles of liberty.

James Buchanan, President of the United States: May he ever continue the friend of the 'hardy Pioneer.'

The Constitution of the United States: Be all the pain to her enemies, but *champagne* to her friends.

The Constitution: May its broad wings shelter Utah."

A little homerule spice also found its way into the toasts, as witness the following:

"Here's to our friends who *seek* for office in Utah—may they continue to *seek* and die without finding it."

RENEWED EFFORT AT STATEHOOD—1857

Fifth: It has already been noted that an effort to secure statehood was made in 1856, a Constitution formed and

15. *Deseret News* of July 8th, 1857.

adopted, the census taken, disclosing a population in the territory adequate to statehood; delegates were chosen to present the application to congress (Messrs. Geo. A. Smith and John Taylor); but they withheld it because of the manifest prejudice existing against the territory in the lower house of congress. This was but one of several efforts to gain admission into the union since the organization of the territory. The first application was made in 1849-50;¹⁶ in 1852 the territorial legislature memorialized congress to pass an enabling act, authorizing the inhabitants to form a Constitution and state government preparatory to Utah "taking her place beside her elder sisters in the great federal union."¹⁷ This request was repeated in 1853.¹⁸ No heed was paid to these several Memorials, but these repeated efforts to secure statehood carry with them their own comment, and argue the faith of the Latter-day Saints in the government of the United States, else they would never have sought so persistently for the admission of Utah into the American Union—their efforts to secure statehood is an evidence of their loyalty as Americans.

PURPOSE OF MILITIA REORGANIZATION AND ACTIVITY

The Utah militia had been reorganized early in the year 1857, but with no intent to offer resistance to the federal government, as is sometimes alleged, since the people of Utah knew of no impending occasion for such resistance. The reorganization was purely in the interest of affording to the many exposed settlements security from Indian depredations.¹⁹

16. See Minutes of Convention, 15th of March, 1849, and Constitution adopted, *Acts, Resolutions and Memorials*, published by order of the Legislative Assembly of Utah, p. 222.

17. *Acts, Resolutions and Memorials of the Legislative Assembly of Utah*, 1852, p. 222.

18. *Acts, Resolutions, etc., of the Legislative Assembly of Utah*, 1853-4, pp. 76-7.

19. The act for the reorganization of the militia was approved Jan. 14, 1857: The lieutenant general commanding, issued his orders installing the new system of regulations on March the 27th, in "General Orders No. 2." (*Deseret News* of April 1st, 1857.

On this head—and there is no other purpose urged for the efficiency of the militia—the general commanding, Daniel H. Wells, said:

“Owing to the pacific policy of Governor Young, calls for active service have been few and on a small scale, yet our past experience with the aborigines of the soil has taught us the necessity of being always ready. Pompous displays in frequent musters are no evidence of strength and efficiency. Arms and ammunition ever at hand are the stronger arguments. We should aim, as much as possible, to substitute the useful for the artificial, where but one can be had. As the negligence of one man may endanger the safety of all, so let us approach our new organization that negligence may not escape its due censure and punishment.”

General Wells thanks the militia for their past service, “especially those,” he continues, “who have been ready at all times, unhesitatingly to answer my calls by engaging in the defense of our frontier settlements against a brave and subtle enemy. Under the blessings of the Almighty their energetic responses have resulted in a present general peace, and terms of friendship with our uncivilized neighbors. *As the good never wish for war, and the wise are always ready for it, let us continually seek that our weapons may be made bright and ready by our industry, and preserved so by a continued peace.*”²⁰

Nobler sentiments from a military leader, I venture to remark, will be difficult, not only to find, but to conceive.

THE BUCHANAN ADMINISTRATION AT BAR

Such then were the conditions in Utah in respect of the several things considered, and these are the things that represent the mental attitude of mind, the status of the people relative to their loyalty to the American government. And I argue from all these conditions existing in Utah, previous to the setting out of the “Utah Expedition” to suppress a rebellion that had no existence, and that, too, without even so much as a pretense of investigation, and on the questionable testimony of a discredited and dishonored judge, and a disgruntled and disappointed mail contractor, moved by malice

20. *Ibid.*

to make their misrepresentations of conditions in Utah, was a high crime and misdemeanor on the part of the Buchanan administration of the United States government, against the Latter-day Saints community of Utah.

The matter of severely criticising an existing, or a past, administration is no evidence of disloyalty on the part of those who engage in it. The denunciation of scoundrelly United States officials, whose appointments was a disgrace to the administration who made them, and an insult to the people among whom they were sent—these criticisms and denunciations, here admitted as having been freely indulged by “Mormon” leaders, and which is quite generally relied upon by anti-“Mormon” writers to prove “Mormon disloyalty”—this right of criticism, of complaint, of protest, and of denunciation, is part of the reserved rights of the sovereign people in the United States. It belongs to the freedom of speech and of the press. It is as much the right of the people of the territories—still citizens and people of the United States though living in a territory—as of the states. It is as much the right of the “Mormon” as of the Gentile or the Methodist, or the Atheist. And I refuse to admit that the exercise of these rights by “Mormon” leaders is evidence of disloyalty to the government, or to that broader, deeper thing we call Americanism. If the test sought by anti-“Mormon” writers to be applied to Latter-day Saints, was applied to their contemporaries in New England, and in Kansas, and, for matter of that, to the east generally, some names now held in honor for the purity and strength of their patriotism would be relegated to the ranks of the disturbers of the land’s peace, and numbered with the disloyal.

FIRST STEPS IN ORGANIZATION AND MARCH OF THE “EXPEDITION”

The first known steps in forming the “Expedition” were taken by the federal government on the 28th of May, 1857, when orders were issued from the war department for the gathering of “a body of troops at Fort Leavenworth, to march

thence to Utah as soon as assembled," and giving directions for their equipment and general movements.²¹ As already stated the formation of the expedition was carried on with great privacy by the government. Feramorz Little while assisting in western mail matters at Independence obtained some inkling of the movements of the government through numerous men who were figuring upon securing the contracts of the government for handling the supply trains of the "Expedition." He left Independence on the first of June, with mail that had accumulated through May, scarcely convinced, however, that such a movement against Utah was afoot. At Fort Laramie Mr. Little met Abraham O. Smoot, Esq., then the mayor of Salt Lake City, going east with the Utah June mail. Between Fort Laramie and New Fort Kearney, Mayor Smoot met two or three hundred United States troops. The commander offered Mr. Smoot an escort to Fort Kearney, which was declined. A hundred miles west of Independence the Smoot party began to meet the heavy laden government supply trains. Captains and teamsters alike were reticent about their destination; they had government freight and were bound for some western post, the trains belonged to one William R. Russell, was the sum of the information that could be obtained. Arriving at Independence Mr. Russell was visited and from him it was learned that the destination of the freight trains was Salt Lake City, that they carried supplies for government troops who would soon follow. At Independence, too, while the postmaster there received the Utah mails, Mr. Smoot learned of the annulment of the Kimball mail contract. This was sad news. It meant that the "Y. X. Company" must go out of business, and accordingly its agents, under the direction of Mr. Smoot and others, proceeded to break up its stations and move its stock westward. About a hundred and twenty miles east of Fort Laramie the western-moving Smoot

21. See *House Executive Document*, 35th Congress, No. 71, pp. 4, 5. The circular from the commander-in-chief, U. S. A., will also be found complete in Tullidge's *History of Salt Lake City*, p. 121, *et seq.*

party met O. P. Rockwell with the Utah July mail. The information he received from the Smoot party led Rockwell to decide to proceed no further eastward, but return with the west-bound company.

At Fort Laramie, 513 miles from Salt Lake City, Messrs. Smoot, Rockwell and Judson Stoddard concluded to make a forced drive to Salt Lake City with their news of the approaching army, and accordingly they hitched up two span of their best animals to a small spring wagon, and left Fort Laramie on the evening of July 18th. In five days they reached Salt Lake City, arriving on the evening of the 23rd of July, only to find Governor Young absent from the city.²² He, with a large party of citizens, had gone to the head of Big Cottonwood canon, there to celebrate the 10th anniversary of the entrance of the Pioneers into Salt Lake valley, on the 24th of July. The main encampment of the celebrants was formed at Silver Lake, where three spacious, "lumber-floored boweries" had been provided by a local lumbering company, whose sawmills were adjacent, and a large number of the encampment passed the evening of the 23rd "in the joyous dance." "There were 2,587 persons in the company; with 464 carriages and wagons, 1,028 horses and mules, and 332 oxen and cows. * * * Captain Balloo's band, the Nauvoo brass band, the Springville brass band, the Ogden City brass band, and the Great Salt Lake City and Ogden City marshal bands, were in attendance; also the 1st company of light artillery, under the command of Adjutant General James Ferguson, a detachment of four platoons of life guards and one platoon of the lancers, under the command of Colonel R. T. Burton, and one company of light infantry under the command of Captain John W. Young."²³

ANNOUNCEMENT IN UTAH OF THE MARCH OF THE "EXPEDITION"

"The stars and stripes," says the current *Deseret News*

22. Condensed from the personal narrative of Mr. Smoot, published in Tullidge's *History of Salt Lake City*, pp. 156-7.

23. *Deseret News* of July 29th, 1857.

account of the celebration, "were unfurled on two of the highest peaks in sight of the camp, and on the tops of two of the tallest trees." "The different bands played at intervals throughout the day, and greatly added to the zest of the varied sources of enjoyment."

"About noon" Messrs. Smoot, Stoddard and Rockwell, these men with the "war news," accompanied by Judge Elias Smith from Salt Lake City, rode in upon this scene of peace and joy and patriotism. Their advent, however, did not disturb the peace and joyousness of the occasion. Their message was delivered quietly to President Young and his immediate counselors and associates. For the rest, the afternoon's merriment and enjoyment went on as if no messengers from the east had arrived. "At about sunset the camp assembled for prayers," says the account followed here, and doubtless the most reliable, since it was published five days later in the one periodical of the state—*Deseret News*—"when President Wells made a few remarks in relation to the latest tidings from the states, upon the order of leaving the ground in the morning, and concluded with prayer."

But not even the announcement of the "latest tidings from the states," though it reported the approach of an army, and practically announced "war," could kill the joy of that occasion, or interrupt the merriment. Songs by Messrs. Poulter, Dunbar, McAllister and Maiben—local celebrities, in the vocal art—opened the evening's exercises; "after which," says our chronicle, "dancing and general hilarity continued to a late hour. On the morning of the 25th the company began to vacate the ground by daybreak, every one apparently highly gratified with the privileges they had been so blessed in enjoying."²⁴

Thus the news of the "Utah Expedition" reached Utah,

24. *Deseret News*, July 29th, 1857. The report was written and is signed by Geo. D. Watt, a noted English convert and one of the territory's earliest stenographers—the reporter of many early discourses of church authorities.

and straightway activities began among the Latter-day Saints to resist the manifest injustice of this procedure on the part of the general government, against a loyal, American community.

CHAPTER CV

THE "UTAH WAR": PRELIMINARIES OF THE CAMPAIGN— COMMANDING OFFICERS

QUITE contrary to what might have been expected the announcement of the coming of the United States army to Utah created but little excitement in Salt Lake City and other principal settlements. The colonists of Utah were too inured to opposition—even to organize opposition—to be easily excited by its appearance, though it approached in a new form and seemed more formidable than hitherto. There was to be resistance to manifest injustice, of course, yet there would be no hysterical nervousness in that opposition. Confidence in the righteousness of their cause, and confidence in their leaders was too great to admit of undue excitement.

APPROACH OF THE UNITED STATES ARMY ANNOUNCED

The first step in preparation was to send word to the district commanders of the Utah militia of the reported approach, "tolerably well authenticated," of an army from the eastern states, to "invade Utah territory." This in an official note from the headquarters of the Nauvoo Legion, Salt Lake City, under date of August 1st, 1857, and signed by Daniel H. Wells, lieutenant general commanding. Attention was called to the fact in this communication that the people of Utah had lived "in strict obedience to the laws of the parent and home governments, and are zealous for the supremacy of the Constitution and the rights guaranteed thereby;" but "in such times, when anarchy takes the place of orderly government, and mobocratic tyranny usurps the power of rulers," the people "have left the inalienable right to defend themselves against all aggression upon their constitutional privileges." The saints for "successive years" had witnessed the desolation of their homes, the barbarous wrath

of mobs poured upon their unoffending brethren and sisters; their leaders arrested, incarcerated and slain, and themselves driven to cull life from the hospitality of the desert and the savages. The Latter-day Saints were unwilling to endure longer these unceasing outrages; and if an exterminating war be proposed against them and blood alone can cleanse pollution from the nation's bulwarks, "*to the God of our fathers let the appeal be made.*" The district commanders¹ are then instructed to hold 'their respective divisions of the militia in readiness to march at the shortest possible notice to any part of the territory; to see that the law was strictly enforced in regard to arms and ammunition; and "as far as practicable, that each ten be provided with a good wagon and four horses or mules as well as the necessary clothing, etc., for a winter campaign. * * * *Avoid all excitement, but be ready.*"²

On receipt of this order there was prompt but quiet preparation made throughout the militia districts.

In addition to the military instruction in the foregoing order the military leaders were admonished "to use their influence for the preservation of the grain;" and this word of counsel was everywhere given and insisted upon, since food supplies would be of prime importance in the impending conflict.³

"THE CALL" TO SCATTERED LEADERS TO RETURN TO UTAH

The next step in preparation was to call home all the members of the apostles' quorum who were presiding over

1. The names of these commanders and their respective districts were as follows: Colonel W. H. Dame, Parowan; Major L. W. McCullough, Fillmore; Major C. W. Bradley, Nephi; Major Warren S. Snow, San Pete; General Aaron Johnson, Peteetneet; Colonel William B. Pace, Provo; Major Samuel Smith, Box Elder; Colonel C. W. West, Weber; Colonel P. C. Merrill, Davis; Major David Evans, Lehi; Major Allen Weeks, Cedar; Major John Rowberry, Tooele. (*History of Salt Lake City*, p. 168, Tullidge).

2. The "order," *in extenso* will be found in the *Contributor*, vol. iii, p. 177. The *Contributor* was edited by Junius F. Wells, son of General Wells, and the article "The Echo Canon War"—in which the "order" appeared—was prepared by the younger Wells over the *nom de plume*, "Vaux."

3. See *ante*, chapter c this *History*, note 14; for George A. Smith's mission to the settlements in southern Utah, and instructions not to sell grain to passing immigrant companies to feed to stock; also justification of this policy, *Ibid*, *passim*.

missions; and quite generally also all the "Utah elders;" and all the saints in the most distant outlying settlements, such as the San Bernardino and Carson valley settlements.

Elder John Taylor and Erastus Snow of the apostles' quorum, who had been in charge of missions in the United States, the first stationed at New York, the second at St. Louis, were already *en route* for Salt Lake City, where they arrived on the 7th of August.⁴ Other elders traveling as missionaries throughout the several states of the American Union also made their way home, to share the fortunes of their people.

UTAH'S MESSAGE AND PROTEST TO THE PRESIDENT OF THE UNITED STATES

Samuel W. Richards was dispatched to England to carry instruction to Orson Pratt and Ezra T. Benson of the apostles' quorum—the first being the president of the European Mission⁵—and all the "American elders" to return home. Elder Richards was also entrusted with a special express to President Buchanan, informing the president that his army could not enter Utah until satisfactory arrangements had been made by commission or otherwise. Elder Richards also carried with him as part of his dispatches to the president and congress copies of the *Deseret News* of August 12th, containing a carefully prepared, though caustically worded editorial embodying the views of the presidency of the church and of the twelve apostles on the Utah crisis.⁶ These he delivered to Colonel Thomas L. Kane for transmission to the president of the United States, and then proceeded to New

4. *Deseret News* of Aug. 12th, 1857.

5. The "European Mission" was founded by the union of all the missionary districts, conferences, and branches of the church in European countries, as also all such subdivisions in Africa, Australia and India, under one presiding authority in June, 1854, when Elder Franklin D. Richards, of the council of the twelve arrived in England, authorized by his letter of appointment "to preside over all the conferences and all the affairs of the church in the British Islands and adjacent countries." "This," says Jenson, (*Church Chronology*, p. 51), was the beginning of what is called the European Mission." (See also Whitney's Biography of F. D. Richards, *History of Utah*, vol. iv, pp. 316-17).

6. *Deseret News* of August 12th, 1857.

York, where he was interviewed by the *New York Times*, which gave, without prejudice, the "Mormon" view of the Utah situation as represented by Elder Richards, and which, fortunately, was much more pacific in tone than the editorial of the *News* of the 12th of August, and more likely to allay prejudice.⁷ Arriving in England with President Young's message to the two apostles, Elders Pratt and Benson, directing them to return home, Elder Richards was appointed to take temporary charge of the European Mission. The returning apostles, with four other Utah elders, made the journey *via* Isthmus of Panama, thence to San Bernardino and Salt Lake City, where they arrived in January, 1858. Twenty-four other elders from the European Missions returned home *via* New York—landing there on the 10th of March, 1858—and by various routes made their way to Utah.⁸

THE SPIRIT OF UTAH'S MESSAGE

Relative to the bold message carried east by Elder Samuel Richards and delivered to Colonel Thomas L. Kane, for transmission to the president of the United States, and which was delivered to him as arranged, may not that circumstance have paved the way to the tender of, or the solicitation of, the services of the colonel in the settlement of the "Utah Question" when it had reached its climax? For such service, as we shall see later, was rendered by Colonel Kane.

Relative to the message itself, what follows should be

7. See *New York Times* of 12th September, 1857, copied into *History of Brigham Young, Ms.*, entry for Sept. 12, 1857, pp. 502-7. For character of Richards' mission see *Ibid*, pp. 418-9, and Biography of Samuel Richards, by Whitney, *History of Utah*, vol. iv, p. 324. The latter affirms that the "bold message" carried by Richards and given into the keeping of Colonel Kane, "was delivered to the president" by that gentleman.

8. See *New York Herald* of March 12th. One of the number through this issue of the *Herald* gave an intelligent exposition of the attitude of the saints in respect of the issues recently and then existing between them and the federal administration. Stenhouse in his *Rocky Mountain Saints*, paints a livid picture of the "terror" of these returning elders, which is all out of character; and contrary to the quality of courage which generally, and even by Stenhouse himself, is accorded to the elders of those days. The description given by Stenhouse smacks of apostate malice. (See *Rocky Mountain Saints*, pp. 354-6).

said: The caption of the *News* editorial,— which is also the message—is, *The United States Government and Utah*. It expiates upon the opportunities for greatness on the part of the United States, the likelihood of losing that opportunity by corrupt political methods. Utah's area is described, a mixture of widely desert areas with narrowly limited fertile spots, but lying athwart the best central line of communication between the Pacific slope, the land of gold, and the east. "Did not the government offer large bounties in land and almost stretch its delegated powers, to pave the way for the settlement of so desolate a country," is asked. "And did they not shake off a barbarous relic of colonial usage and guarantee to the settlers in such a region, even more fully and cheerfully than is accorded to those dwelling in more desirable locations, the constitutional right of electing their own officers?" "We will answer," says the editorial. And then is passed in review the enforced exodus from Nauvoo, the service of the Mormon Battalion; the settlement of the Great Basin valleys, and a contrast between the preemption laws of other territories, and the neglect to provide such laws for Utah. The law and order maintained in Utah is contrasted with the lawlessness and violence in the territories of Nebraska and Kansas. The extreme, and, indeed, the questionable view is taken that the purpose of the government in sending its armed "Expedition" to Utah is to corrupt or exterminate the Latter-day Saints. To pave the way for the attainment of such an end, and indeed to goad the people if possible to some overt act which can be seized upon for a plausible pretext to encompass such an end; the government "persists," to use the language of the editorial, "in the barbarous colonial usage of thrusting strange and outside officers upon us—contrary to our lawful and oft expressed unanimous choice—the majority of whom are mostly well known to be utterly base and unworthy." "One of President Buchanan's cabinet has styled our legislative assemblies disrespectful and threatening," continues the editorial, "because,

forsooth, they plainly though most respectfully set forth their constitutional rights in the matter of officers for Utah; and that most strictly in accordance with the teachings of Thomas Jefferson, the great father of the party now in power." Some of the closing paragraphs of the message are intemperate speech. The following quotation representing the least offensive parts: "If you intend"—addressing the administration—"to continue the appointment of certain officers, we respectfully suggest that you appoint actually intelligent and honorable men, who will wisely attend to their own duties, and send them unaccompanied by troops, which you yourself know are of no lawful use here—and your officers will be treated strictly according to their acts and merits, as you also well know has always been the case, except that we did not hang up some of the infernal scoundrels you have heretofore sent, as they most richly deserved. And if you will not receive this fair counsel, but persist in sending us officials from the tag, rag and bobtail of wh— houses, grog shops and gambling hells, we shall take the yankee liberty of guessing your kind (?) intentions towards us, and shall also take the liberty, for the first time of using that class of officials strictly in accordance with their deserts." One can but regret the harshness of this editorial, sent to the president and congress as special express from Utah; but one regrets more that such had been the character of many of Utah officials appointed by previous administrations, and that there was color of justification for its harshness and but slightly veiled threats.

CALLING IN THE PEOPLE OF OUTLYING SETTLEMENTS

About the time that Elder Richards was sent to England to release the Utah missionaries in Europe, Peter Conover was sent with an escort of ten or twelve men to bring in the settlers from Carson valley.⁹ Conover arrived at the Carson settlement on the 5th of September, and in three weeks the

9. *History of Brigham Young, Ms.*, August, 1857, p. 435.

settlers had disposed of their holdings and property, as far as possible, and at great sacrifice, and began the journey to Salt Lake City, where they arrived on the 2nd of November. The company comprised 450 souls, traveling in 123 wagons, separated into two divisions. Bishop William R. Smith of Davis county—later to become president of Davis stake of Zion—was captain of the first division; John Little, captain over the second; and Chester Loveland, an experienced plainsman, commander of both divisions. It was reported by their leaders that there were 160 men in the companies, capable of bearing arms. Before leaving Carson valley the settlers sent agents over the Sierras to San Francisco to purchase \$800.00 worth of ammunition, besides such quantities as could be bought in the Carson settlements.¹⁰ Altogether they reported 2,700 lbs. of community ammunition, besides large quantities in the possession of individuals. The company also brought a large number of arms, and altogether was a substantial reinforcement to the Salt Lake valley community.

The saints from San Bernardino returned to Utah in several companies in the closing months of 1857, and in the early months of 1858, many of them making their homes in the southern settlements of the territory. They, too, brought with them large stores of arms and ammunition. A Los Angeles correspondent of the *Alta*, (California) under date of November 23rd, notes the departure of fifty-five "Mormon" families from San Bernardino the previous week, saying that "within six weeks one thousand persons will have forsaken their homes in that valley in obedience to the commands of their chief. Men, women and children go off without a murmur and with countenances lighted with stern joy, at the assurance they receive that they are about to fight and destroy their enemies. * * * There is not one line in the face of a Mormon that does not defiantly say, 'we will die before we submit.'" The correspondent deplors that

10. They reported that they left but two boxes of caps and 1 lb. of powder in all Carson valley. (*History of Brigham Young, Ms.*, p. 744).

steps have not been taken to guard the Cajon Pass—the only gateway from southern California to Utah—to prevent the transmission of munitions of war and of the enemy, whether “Mormons” or Indians.¹¹

UTAH’S MOVEMENTS IN THE FIELD

The first movement of Utah forces in the field was the trailing eastward of a “corps of observation,” consisting of seventy-five men under the command of Colonel Robert T. Burton of the Nauvoo Legion. The corps left Salt Lake City on the 15th of August,¹² under orders to protect and aid the incoming “Mormon” immigration of that year, which though small in comparison with that of the previous years, numbered over twelve hundred souls.¹³ In addition to aiding the immigration Burton’s command was under orders to learn the location, strength and equipment of the United States forces approaching Utah; and report their progress and all

11. The article is copied into the *History of Brigham Young, Ms.*, Nov., 1857, pp. 795-6. *The Los Angeles Star*, the nearest newspaper to the home of the saints, in referring to the abandonment of San Bernardino, gives them this indorsement of good character:—

“From our acquaintance with the people of San Bernardino, we must say that we know them to be a peaceable, industrious, law-abiding community. Under great disadvantage they have cultivated their farms, and caused the ranch, [San Bernardino] which was, before their occupation almost unproductive, to teem with the choicest products of the field, and the garden. With their peculiarities of religion or church we have nothing to do; we know them to be good citizens, and cheerfully testify to the fact. Besides the people of San Bernardino, our state will lose three or four hundred other Mormon citizens, many of whom are now on the way to join the departing saints.” (Copied into *History of Brigham Young, Ms.*, entry for November, 1857, pp. 796-7).

12. Colonel Burton received his orders on the 13th of August. His command was to consist of 160 men from the first regiment of the legion; but as the character of the service upon which he was ordered demanded haste, he took seventy-five men from the life guards of the legion and departed two days later, accompanied by Colonel James Cummings, of the general staff; Major J. M. Barlow, quartermaster and commissary; Major H. W. Lawrence, Lieutenants J. Q. Knowlton, and C. F. Decker. They were afterwards joined by a company from Provo, commanded by Joshua Clark. (See *Echo Canon War*, J. F. Wells, *Contributor*, vol. iii, pp. 177-8).

13. One thousand nine hundred and ninety-four souls had left various European countries for Utah; but of this number only one thousand two hundred and fourteen started on the overland journey. Their camp equipment was as follows; 157 wagons; 646 oxen, 20 horses, 18 mules, 75 cows, 19 loose cattle and 97 hand-carts. In addition to the above numbers there were a few other emigrants accompanying groups of returning missionary elders. (Report of A. M. Musser, secretary of emigration agent, 1857, quoted by Jensen in *Church Emigration, Contributor*, vol. xiv, p. 344).

their movements to Utah headquarters. He was also to note strategic points along the route which might be taken advantage of in opposing the army's entrance to Utah; but was under strict orders not to interfere with the life or property of any one.

About a month after Burton's departure a volunteer company was called ostensibly to found a settlement on the Snake river, in the vicinity of Fort Hall. It was known as the "Blackfoot Mission." Its real purpose, however, was to be on the northern route of the "Utah Expedition," in the event of its making a detour *via* Soda Springs, and Fort Hall, to watch its movements and report them. The command numbered forty-three, under the leadership of Captain Andrew Cunningham. The list of their names will be found in *History of Brigham Young, Ms.*¹⁴ As it became definitely known before the winter was far advanced that it was not the intention of the commander of the "Expedition" to attempt any other route to Salt Lake City than the direct one *via* Fort Bridger and Echo canon, the Cunningham command was recalled during the winter.

Another northern expedition of observation was executed under the leadership of Marcellus Monroe, connected with Colonel West's command of Weber county's militiamen. The company consisted of twelve mounted men who took their course through Ogden canon, crossed the mountains to Bear Lake, thence up Bear river valley, and across the mountains *via* Lost Creek to the Weber, and so to Ogden. The object of their expedition was to become familiar with the mountain passes, to locate sallying points and places for retreat in the event of an active campaign opening.

According to Burton's own narrative he reached Fort Bridger on the 21st of August; and five days later met, at Pacific Springs, the first "Mormon" immigrant companies;

14. *History of Brigham Young, Ms.*, entry for Sept., 1857, p. 513).

and the next day several large supply trains for the government entirely unprotected by any escort.

Leaving his wagons and half of his men on the Sweetwater, Colonel Burton proceeded eastward to Devil's Gate, which he reached on the 30th of August, meeting frequently the westward moving immigrant companies. In this locality he cached considerable quantities of provisions for future use. On the 8th of September he sent an express in advance to the Platte, which four days later returned with information of the approaching United States forces. From this time Burton's command began its slow return westward, meanwhile keeping close observation of the army's movements, including its scouting operations. When Colonel Alexander's division of the "Expedition," comprising the 5th and 10th United States infantry regiments, with Phelps' and Reno's battery, camped at Devil's Gate, on the 22nd of September, Colonel Burton, with three companions, camped within half a mile of him; and from thence until the troops arrived on Ham's Fork, an indirect western tributary of Green river, Colonel Burton's command kept in the immediate neighborhood of the army, reporting by frequent express riders its every movement either to Governor Young or General Wells.¹⁵

Up to the latter part of August it was supposed in Utah that General Harney was in command of the "Utah Expedition." An express from Deer Creek station, 300 miles east of

15. Colonel Robert Taylor Burton was a most efficient officer for this service. He was possessed of great powers of endurance, tireless energy, cool, brave, cautious; sound of judgment, and courteous in conduct, he had also that indescribable something which holds and attracts men to their leaders. He was an ideal officer, both in appearance and temperament, and doubtless in a wider field would have won military distinction. His service previous to the "Utah War" was in the several campaigns against the Indian tribes in Utah, both under the authority of the provisional state government of "Deseret" and the territory of Utah; and he was also active in the relief corps that went to the aid of the belated handcart immigrants of the year previous. He was the son of Samuel and Hannah Shipley Burton, the tenth child in a family of fourteen, half of whom were born in England and the others in America. Robert himself was born in Amersburg, West Canada, October 25th, 1821. His grandparents, Samuel and Mary Johnson Burton, were of Yorkshire, England. Robert T. Burton, both as a military officer and counselor in the presiding bishopric of the church will be a leading figure in the church history.

Salt Lake City, brought the news on the 25th that "General Harney's train lost 480 head of beef cattle, stolen by the Cheyenne Indians."¹⁶ Also that "General Harney is very secretive and the officers at Laramie will give nobody any information; but it has leaked out that Harney determined to remove all 'Mormon' stations on the road." Under date of 26th of August, President Young said: "I have sent word to General Harney that I wish for peace, and do not want to fight anybody; but he must not come here with a hostile army, and if he undertakes it, we shall prepare to defend ourselves."¹⁷

ALBERT SIDNEY JOHNSTON IN COMMAND OF THE "EXPEDITION"

As the immigration companies began to arrive, however, they brought news of the detention of General Harney in Kansas, and of the appointment of General—then Colonel—Albert Sidney Johnston to the command of the "Utah Expedition." They brought word of the anti-"Mormon" bitterness prevailing in the east; of the talk on the plains, at the stations, the forts, and in the army camps; all of which was not very reassuring for Utah's peace, since there were threats with cursing as to what would be done with the "Mormons," once the army was in Salt Lake valley. "All the way from the states to Laramie," reported Captain John R. Murdock, "it was G— d—n the Mormons." At Laramie the officers [i. e. the local officers stationed there, not the officers of the "Utah Expedition"] tipped their hats; and from there everybody was respectful.¹⁸ The only offset to

16. *History of Brigham Young, Ms.*, entry 23rd August, 1857, p. 438. John R. Murdock, plains captain, arriving twenty days later, reported that the number of beef cattle lost by the "Expedition" was 850 head; and that the rest of the 2,000 head of beef cattle, with which the "Expedition" started, had been returned to the states. (*Ibid.*, pp. 471-2).

17. *Ibid.*, pp. 438-9.

18. *History of Brigham Young, Ms.*, entry 5th Sept., 1857, p. 472. Captain John R. Murdock was a most reliable and truthful gentleman; as also one of the greatest plains captains of the church's pioneering and overland journeying days. He had carried the United States July mail from Utah to Independence that year, making the eastward journey of twelve hundred miles in fifteen days. The government having suspended the mails to Utah he had no return mail. He went as far

this vicious aspect of things eastward was the news that five hundred men had deserted from the "Expedition"—thirty in one night—and "there was much opposition in the states against the administration forcing the troops into Utah."¹⁹

RIBALDRY OF THE CAMP

On the 18th of September Charles Decker and Jesse Earl came from Burton's command as an express. These brethren representing themselves as California immigrants had been within the camps of the "Utah Expedition" and had mingled freely with the soldiers. Inquiring as to what they intended to do in Utah, the answer was: "Scalp Old Brigham." "Have you seen him?" would be the return inquiry. "Yes." "How does he feel?" "Rather scary," the brethren answered.²⁰

east as St. Louis, thence returned to Atchison, Kansas, where he took charge of a train of merchandise for Bell and Kincaid, Salt Lake merchants, which he captained over the plains. *En route* he came in contact several times with detachments of the "Utah Expedition," and from soldiery and trainmasters learned what they expected to do upon reaching Utah (Biographical sketch of John R. Murdock by J. M. Tanner, 1909, *Deseret News* print, pp. 122-129). An incident exhibiting the high spirit of Captain Murdock—and, in a way, of the "Mormon" spirit in general—occurred on the plains in connection with the loss of the "Expedition's" beef cattle not included in the text above. "A party of men came into Murdock's company and said 'We have lost 850 head of cattle, and don't know who got them; Indians we believe stole them; we believe half of the Indians that stole those cattle were Mormons.' Murdock replied: 'This company are all Mormons, you had better mind what you say.' After this the party were very respectful." (Murdock's Report, *History of Brigham Young, Ms.*, entry 5th Sept., 1857, p. 472). Murdock met Colonel Burton's command at Devil's Gate, and consented to leave his train and carry that officer's express to Governor Young. He rode day and night, and with a change of horses made the journey of three hundred and forty miles in four days. (*Biographical Sketch*, p. 289).

19. Murdock's Report, *Ibid.*, p. 472. The numerous desertions from the "Expedition" are confirmed by S. W. Richards, as are also the reports of the ribaldry of the camp in relation to what would be done with the "Mormons," once the army was in Salt Lake valley: Mr. Richards in a letter to Orson Pratt, published in *Millennial Star*, vol xix, p. 670, says: "At Fort Kearney we learned that many were deserting from the 'Expedition,' both troops and teamsters, and the officers had been obliged to hold out inducements, and adopt rigid regulations, withholding pay for one year, etc., to suppress, as far as possible, the spirit of desertion. It was thought this spirit would greatly increase as they advanced towards the mountains, and encountered the severity of the mountain storms, which must necessarily overtake them. Even at Kearney the soldiers were in very high glee at the idea of wintering sumptuously in Utah, where, as the Paddy said, 'the women are as thick as blackberries,' and it was a great wonder to them what Brigham Young would say to see them with his wives parading the streets of Great Salt Lake City. Every dirty, foul-mouthed Dutchman and Irishman, of which many of the troops were composed, fully expected some 'Mormon' woman would jump into his arms upon his arrival in Utah, and hail him as a heavenly messenger sent to bring deliverance from 'Mormon' degradation, wretchedness, and despair."

20. *History of Brigham Young, Ms.*, 1857, p. 532.

Doubtless much of what was thus reported was merely the utterances of the irresponsible soldiery, the teamsters, and the camp followers of the "Expedition"—the mere braggadocio of the camp. Certainly it does not comport with the written instructions of the war department to the commander of the "Expedition;" nor to the high character of the official personnel of the "Expedition." As to the former, the commander of the "Expedition" in outlining "the principles" by which he was to be guided, the war department instructions said:

OFFICIAL INSTRUCTIONS OF THE "EXPEDITION"

"If the governor of the territory, finding the ordinary course of judicial proceedings or the power vested in the United States' marshals and other proper officers inadequate for the preservation of the public peace, and the due execution of the laws, should make requisition upon you for a military force to aid him as a *posse comitatus* in the performance of that official duty, you are hereby directed to employ for that purpose the whole or such part of your command as may be required; or should the governor, the judges, or marshals of the territory find it necessary directly to summon a part of your troops, to aid either in the performance of his duties, you will take care that the summons be promptly obeyed. *And in no case will you, your officers, or men, attack any body of citizens whatever, except on such requisition or summons, or in sheer self-defense.*

In executing this delicate function of the military power of the United States, the civil responsibility will be upon the governor, the judges, and marshals of the territory. While you are not to be, and cannot be subjected to orders, strictly speaking, of the governor, you will be responsible for a jealous, harmonious, and thorough co-operation with him, on frequent and full consultation, and will conform your action to his requests and views in all cases where your military judgment and prudence do not forbid, nor compel you to modify, in execution, the movements he may suggest. *No doubt is entertained that your conduct will fully meet the moral and professional responsibilities of your trust; and justify the high confidence already reposed in you by the government.*

So well is the nature of this service appreciated, *and so deeply are the honor and the interest of the United States involved in its success*, that I am authorized to say that the government will hesitate at no expense requisite to complete the efficiency of your little army, and to insure health and comfort to it, as far as attainable. Hence, in addition to the liberal orders for its supply heretofore given—and it is known that ample measures, with every confidence of success, have been dictated

by chiefs of staff departments here—a large discretion will be made over to you in the general orders for the movement.”²¹

GENERAL HARNEY’S INSTRUCTIONS TO CAPTAIN VAN VLIET

Furthermore, when General Harney, before being relieved of the command of the “Utah Expedition,” sent Captain Van Vliet to Utah to negotiate for the encampment and provisioning the “Expedition,” it was stated in a letter of instructions to Captain Van Vliet, written by Captain Pleasanton, assistant adjutant general to General Harney, “that the general commanding has deemed it proper and courteous to inform President Young, of the society of the Mormons, of the object of your visit, and has also requested of him the required facilities to enable you to execute your instruction certainly and effectively.” * * * You will obtain a suitable location for the troops in the vicinity of Salt Lake City, sufficiently near to be effective in supporting the civil authority in the maintenance of the territorial laws, *but allowing ample room to prevent an improper association of the troops with the citizens—an object in this selection of primary importance.* * * * You will impress upon the officers in charge of your escort the imperious necessity for a very careful circumspection of conduct in his command. *The men should not only be carefully selected for this service, but they should be repeatedly admonished never to comment upon or ridicule anything they may either see or hear, and to treat the inhabitants of Utah with kindness and consideration.*”²²

These instructions make of the “Army of Utah” merely a *posse comitatus*, to aid the territorial executive and judiciary authorities, yet keeping the military subordinate to the civil

21. These instructions issued from the Headquarters of the Army, New York, June 29, 1857, signed by George W. Lay, lieutenant colonel, *aid de camp*, to General Winfield Scott. They were addressed to General W. S. Harney, at Fort Leavenworth, but were afterwards turned over to Colonel Johnston to be considered as instructions addressed to himself. (See letter of Assistant Adjutant General Irvin McDowell, date of Aug. 28th, 1857, *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, pp. 7, 8. The letter containing Harney’s instructions was afterwards turned over to Johnston and quoted in the text is to be found in the same volume of *House Executive Documents*, No. 71, pp. 7-9).

22. *Senate Documents*, 35th Congress, 1st Session, vol. iii, pp. 27-8.

authority. Evidently the "Utah Expedition" was to be no army of invasion and conquest.

As to the second consideration, the high character of the official personnel of the "Expedition," which makes it certain that the ribaldry of the soldiers and of the camp followers did not represent the purpose of the "Expedition"—it is only necessary to name them, for their names now rank high in the country's honored galaxy of the nation's great generals.

PERSONNEL OF THE OFFICERS OF THE "EXPEDITION"

General W. S. Harney, first assigned to the command of the "Expedition," was a veteran soldier of Revolutionary ancestry. He had served with distinction in both the Blackhawk and Florida Indian wars, as also in the war with Mexico. After the close of this war he was in the service on the western frontiers, and in 1855-6, with a command of 1,500 soldiers, defeated the Brule Sioux, at Ash Hollow, one hundred miles southeast of Laramie, under Chief Little Thunder; and as many Indian women and children were killed in the engagement, his enemies dubbed him "squaw-killer Harney." He was an efficient officer, however, and at the opening of the Civil War was in command of the western division of the army stationed at St. Louis.²³

General Persifer F. Smith was assigned as the commander of the "Expedition" at Harney's release, but he fell ill at Fort Leavenworth and died before assuming command of the "Expedition."

Colonel (afterwards General) Albert Sidney Johnston, who finally became commander of the "Expedition," was a Kentuckian, a graduate of West Point, and, at the time of his appointment to the command of the "Utah Expedition,"

23. General Fitz John Porter, years after the "Expedition," stated that Harney knew and dreaded the rigors of a winter in the Rocky Mountains; and so late was the "Expedition" in starting that Harney both feared, and predicted disasters, and induced Governor Walker of Kansas, his friend, to ask his own detention in Kansas, on the plea of his presence being necessary to quell the border disturbances. (Porter is quoted by Linn, *Story of the Mormons*, p. 482).

paymaster in the United States army under the appointment of President Zachary Taylor, and later to become the hero of the battle of Shilo in the war between the states,²⁴ where he met his death.

Major (afterwards General) Fitz John Porter, was assistant adjutant general to Colonel Johnston. He was the cousin of Admiral D. D. Porter, one of the most distinguished officers of the American navy, as also a member of one of the most distinguished families of America. Fitz John Porter was also a West Point graduate, and during the Civil War served with distinction in the union army.

Colonel Alexander, to whom leadership of the advanced division of the "Expedition" fell by virtue of seniority of rank, was a gentlemanly officer, of no great ability as a leader, but certainly not vicious or lawless; President Young said to him—when the colonel called to make his *adieux* on leaving the territory, August 8th, 1858—that he had no doubt that "if he had had half an hour's interview with him last fall (1857), the army might as well have come in last fall as this spring."²⁵

Lieutenant Colonel Charles F. Smith, of the 10th infantry, was a graduate of West Point, 1825, and served as instructor, adjutant and commandant in that institution from 1829-40. He had commanded a light battalion in the Mexican war and was distinguished at Palo Alto, Resaca de la Palma, Monterey, and Churubusco. He had also seen service in Kansas. In the Civil War he became the hero of the Union army at the capture of Fort Donelson, for which he

24. General Johnston had seen service in the "Black Hawk War," as adjutant general in the Illinois militia forces. At the close of that war he resigned his commission in the United States army to join that of Texas, when that country was struggling for independence. Recognized as a good disciplinarian he was appointed adjutant general and perfected the organization of the Texan army rising rapidly through all the grades until, in 1837, he was made commander-in-chief, and later acted, under President Lamar, as secretary of war in the independent republic of Texas. At the outbreak of the war with Mexico, on the solicitation of General Zachary Taylor, Johnston joined the United States army, and was chosen colonel of the first Texas regiment, and served with distinction. At the close of the war he returned to private life as a planter in Brasoria county, Texas, where he remained until 1849, when he was appointed paymaster in the United States army.

25. *History of Brigham Young, Ms.*, entry for Aug. 8th, 1858, p. 879.

was promoted to a major generalship, and for a time, under General Halleck's appointment, superceded General Grant, and but for an illness from a wound which compelled his retirement, he would have commanded at the battle of Pittsburg landing. John Fiske speaks of him as "one of the truest men and finest officers in the federal service."²⁶

Captain (afterwards Major General) Stewart Van Vliet—who bore an important part in the "Expedition" as advance courier of it, was assistant quartermaster, U. S. A., of General Harney's staff. He had before time come in contact with many of the Latter-day Saints at Winter Quarters, where he had employed hundreds of them, in the government service, and treated them fairly. Referring to the captain's presence on the stand at the tabernacle, on Sunday the 13th of September, President Young, in his public address, said:

"From the day of his (Van Vliet's) visit to Winter Quarters, many of this people have become personally acquainted with him, both through casual intercourse with, and working for, him. He has invariably treated them kindly, as he would a Baptist, a Methodist, or any other person, for that is his character. He has always been found to be free and frank, and to be a man who wishes to do right; and no doubt he would deal out justice to all, if he had the power. Many of you have labored for him and found him to be a kind, good man; and I understand that he has much influence in the army through his kind treatment of the soldiers."²⁷

Colonel (later Major General) Philip St. George Cooke, who commanded the six companies of 2nd dragoons in the "Utah Expedition," was also the honored leader of the Mormon Battalion in its memorable march to the Pacific coast,

26. *Mississippi Valley in the Civil War*, p. 62.

27. *Deseret News*, impression of Sept. 23rd, 1857. (See also *History of Brigham Young, Ms.*, entry for Sept. 9th, 1857, p. 474. Reference to Van Vliet's former honorable conduct towards the "Mormons" in the *Ms. History of Brigham Young*, brought forth the statement from the captain that "he had always been gratified in his intercourse with Mormons; when he had benefited any of them it was not because they were Mormons, or Baptists, but because he felt it to be his duty." The *Deseret News*, editorially referring to Captain Van Vliet, after his departure at the end of his official visit to Salt Lake City, said: "Were all government officials like Captain Van Vliet, and did they conduct themselves with that urbanity and gentility which constantly marked his course during his short stay in Utah, then indeed the more officers sent here the better would our territory flourish." (*Deseret News*, impression of 16th Sept., 1857).

1846-7. While a stern officer, Colonel Cooke was an honorable man, and rose to distinction in the Civil War.

Captain Randolph Barnes Marcy (afterwards brigadier general and inspector general of the United States army), was a most gentlemanly officer, and the one who performed the most distinguished service in the "Utah Expedition."²⁸ He was a West Point graduate, served in the Mexican war during which he rose to the grade of captain. He was the father-in-law of General McClellan, and at the beginning of the Civil War served as chief of staff to that officer. General Marcy, later in life, was the author of a number of books dealing chiefly with army life on the western frontiers.

An "Expedition" so officered justifies what has been so frequently said of it, *viz.*, that it comprised the very "flower of the American army;"²⁹ and an "Expedition" made up of such a division of the army, and so officered, cannot be thought of as having for its purpose any other than honorable service; and forbids the thought of its being engaged in a wanton war of invasion and conquest, or the likelihood of its becoming an irresponsible mob revelling in bachanalian orgies in the despoiled settlements and towns of an American community.

28. This service consisted of a midwinter expedition across the Uintah Mountains, with two guides and thirty-five volunteer companions to New Mexico, to secure the large number of horses and mules that would be needed in the spring to convey the "Expedition" to Salt Lake valley. The march is regarded as one of the most remarkable on record. It was persisted in by the intrepid leader after the Indian guides refused to go farther to what they insisted would be certain death. The little command finally reached the valley of the Rio Del Norte, however, with the loss of but one man; and at Fort Massachusetts and vicinity, obtained about 1,500 head of horses and mules with which the captain returned to Utah army headquarters at Camp Scott, on the 8th of June, 1858; to which point he was escorted by five companies of infantry and mounted riflemen. This expedition was the subject of high commendation by General Scott, "and was mentioned by the secretary of war in terms of highest praise." Marcy himself tells the thrilling story of his expedition in his *Thirty Years of Army Life on the Border*.

29. Tullidge, *History of Salt Lake City*, p. 190. The "Expedition" was made up of the 5th and 10th infantry; of Phelps', and finally Reno's, battery, of the 4th artillery, and the 2nd dragoons, 2,500 men in all. (See circular to the appropriate officer signed by General Winfield Scott, *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, pp. 4, 5).

CHAPTER CVI

THE "UTAH WAR": PRELIMINARIES OF THE CAMPAIGN—ARRIVAL OF CAPTAIN VAN VLIET

THE great misfortune in the whole matter of this "Utah Expedition" was, that the purpose of the administration in sending it to Utah was not known by the Latter-day Saint Church leaders, nor did they know definitely what officers were commanding the "Expedition," nor what were their instructions. Neither did the "Expedition" have any clear understanding of its mission. Even Colonel Alexander, leading the advance division of the "Expedition,"—up to its arrival on Ham's Fork, and as late as October 8th—knew nothing of its purpose; he knew only of its destination.¹ And Captain Van Vliet, advance courier of the "army," in a meeting with the leading church authorities in the "Social Hall," September the 9th, when seeking as quartermaster to make arrangements for the "Expedition's" encampment in the territory, could give no very definite, or satisfactory explanations of the purpose of the "Expedition," though he disclaimed its purpose being what was then commonly reported in Utah—namely, conquest and destruction of the "Mormon" people; and sought to allay the apprehension and prejudices of the church leaders.

EMBARRASSMENT OF CAPTAIN VAN VLIET

Following is what occurred at the meeting on this point; D. H. Wells, who had just read a letter presented by Captain Van Vliet, to the assembled brethren, describing the purpose of the Captain's visit, said—

1. On the 8th of October Colonel Alexander in a communication to the officers of his command declared to them that "no information of the position or intention of the commanding officer has reached me, and I am in utter ignorance of the object of the government in sending troops here, or the instructions given for their conduct after reaching here." (*House Executive Documents*, 35th Congress, 1st Session, x, No. 71, pp. 38-40).

General Wells: "This letter states that Captain Van Vliet will explain the object of their coming here.

President Young: "Understood it merely to refer to Mr. Van Vliet's coming here.

General Wells: "Perhaps Mr. Van Vliet may have some understanding of the object of their [the army's] coming here.

Captain Van Vliet: "Had no information further than the order published for troops in this direction; which merely designates a certain number of troops, and in the first place organized the Utah military department, the same as the Kansas department, and then goes on to assign the troops for this department; these are the orders that are published. *The instructions that may be given, I do not know*, though many suppose their orders will be to support the government and the laws in case they are violated. I have seen the instructions to the troops in Kansas, and those instructions were of such a character. No such instructions have been given as has been reported, to violate all law and right; I am convinced of it."²

The assurance of Captain Van Vliet, however, seemed not to have been convincing to the church leaders; and of this the captain was, perhaps, painfully conscious.³

On the part of the church leaders they only knew that in "the states" there was a great uproar against the "Mormons," occasioned by the false reports of ex-Judge Drummond, *et al*; that all kinds of extravagant suggestions relative to "solving the Utah problem" had been made, from the distribution of *Bibles* in the community, to the sending of successive detachments of the United States army to the "Mormon" settlements to induce their young women to leave the homes of their people, when the detachments of troops should successively leave the settlements for California or elsewhere.⁴ What the church leaders heard from the army camps and the plains' mail stations was of the same but of deeper crimson than

2. *History of Brigham Young, Ms.*, entry of Sept. 9th, 1857, pp. 476-7.

3. See Van Vliet's Report to Captain Pleasanton A. A. adjutant general, army for Utah, dated from Ham's Fork, Sept. 16th, 1857. See also Sermons of John Taylor and Brigham Young on Sunday, the 13th of September, in the presence of Captain Van Vliet, and published in the *Deseret News* of Sept. 23rd; also editorial same impression of the *News*. See also note 10 this chapter.

4. Such had been the suggestion of the *New York Herald* of two years before (Sept. 15th, 1855) on hearing that certain young officers and troopers in Colonel Steptoe's command had induced—and in some cases by seduction—a number of young "Mormon" women to abandon their homes for the adventures of an army camp. (See John Taylor's editorial treatment of this suggestion in *The Mormon* of September 15th, 1855; the matter is summarized in *The Life of John Taylor*, ch. xxix).

this. "We were well informed as to the object of the coming of the army," said Elder John Taylor, of the council of the apostles, when discussing this subject with Vice-President Schuyler Colfax, in 1869:

"We had men in all the camps, and knew what was intended. There was a continued boast among the men and officers, even before they left the Missouri river, of what they intended to do with the 'Mormons.' The houses were picked out that certain persons were to inhabit; farms, property, and women were to be distributed. '*Beauty and Booty*' were their watchword. We were to have another grand 'Mormon' conquest, and our houses, gardens, orchards, vineyards, fields, wives and daughters were to be the spoils. Instead of this Mr. Buchanan kept them too long about Kansas; the Lord put a hook in their jaws, and instead of revelling in sacked towns and cities and glutting their libidinous and riotous desires in ravishing, destroying and laying waste, they gnawed dead mules' legs at Bridger, rendered palatable by the ice, frost and snow of a mountain winter, seasoned by the pestiferous exhalations of hecatombs of dead animals, the debris of a ruined army, at a cost to the nation of about forty millions. We had reason to say then 'The Lord reigns, let the earth be glad.' Oh, how wicked it was for President Young to resist an army like the above, prostituted by the guardians of a free and enlightened republic to the capacity of buccaneers and brigands."⁵

REINFORCEMENT OF FORMER EXPERIENCES

To reinforce their conception and fears respecting the "Expedition's" purpose the church leaders and many of the saints had the bitter experiences of Missouri, held in lively recollection by them, wherein they had seen the state militia, ordered out by the governor of the state, and officered by men reputed to be of high character, side with the mob against them and become the executors of its will in the armed investment of Latter-day Saint towns, in the destruction of their settlements and of their farms and homes; they saw their women ravished by a brutal soldiery,⁶ their leaders imprisoned, while their community numbering fifteen thousand was expelled from the state under the orders of its governor, rigorously

5. *The Mormon Question: A Discussion Between Elder John Taylor and Vice-President of the United States, Schuyler Colfax, Deseret News*, print, 1870, p. 22.

6. See *ante* this *History*, ch. xxxv.

executed by the state militia. This, on practically the same basis, but on a larger scale, they had again witnessed in the expulsion of the saints from Nauvoo; only this time, instead of imprisoning their prophet leaders they had both imprisoned and slain them; and instead of driving fifteen thousand of the community from one state to another, they expelled nearly double the number from the state of Illinois, and practically drove them into a wilderness, since there was nowhere else for them to go.

Still later than these experiences, and foreshadowing what might possibly be repeated on a larger scale, if the "Army for Utah" was admitted into the territory, was the more recent experience of the saints with Colonel Steptoe's command. While no reproach attaches to the colonel personally for misconduct while in Utah, subordinate officers, and the rank and file of the command left behind them a very unsavory record of immoralities and debaucheries, which were vehemently denounced, both while they were yet present in Utah, and soon after the command's departure.⁷ Seductions,

7. In a letter to his son, William, then in England, Heber C. Kimball wrote under date of May 29th, 1855: "Last fall, after Colonel Steptoe with his command came here, with Judge Kinney, Mr. Holman and many others, we treated them as gentlemen should be treated, and invited them to our parties and habitations, and feasted them and tried to make something of them. While doing this, some of them began to take unhallowed liberties with the females." At a public meeting in February this wickedness was severely reprovod by Elders Kimball and Grant. "I was moved upon," says the former, in the letter above quoted, "and exposed this wickedness and abominable corruptions in our midst. Brother Jedediah [Grant] backed me. It was quite an earthquake for them. Previous to this we were the finest men that lived, and they had expressed it publicly and privately, and afterwards they said there was not a meaner set of men than we were, from the governor down, and they were ready to take our lives." (*History of Brigham Young, Ms.*, 1855, pp. 55-6).

The speeches of Elders Kimball and Grant, on the occasion referred to, will be found in *Journal of Discourses*, vol. iii, Kimball's, pp. 227-232; Grant's, 332-6. Grant's remarks are very vehement. He several times alludes to threats that had been made then "to bring an army to Utah to drive or coerce the people:" "These characters take 'Mormon' girls and debauch them, telling them that the United States will send their troops here, and the people will be broken up and driven. * * * They will threaten us with the United States troops! Why [addressing the anti-'Mormons' in the audience] your impudence and ignorance would bring a blush to the cheeks of the veriest camp follower among them. We ask no odds of you, you rotten carcasses, and I am not going to bow one hair's breadth to your influence." The speeches were made on the 2nd of March, 1856.

President Young also alludes to this misconduct of Steptoe's command in a discourse delivered in Salt Lake City on the 17th of June, 1855 (*Journal of Dis-*

desertions, the disruption of homes, and to some extent community demoralization followed the advent and hospitable treatment of the few hundreds of that command. How much greater the evils to be expected from an apparently hostile encampment, consisting of thousands of troops, and its teamsters and camp followers!

WHAT PRESIDENT BUCHANAN DID NOT SAY—M. REMY

True, as President Buchanan pointed out in his message to congress, in December following, the church leaders had the assurance of Major Van Vliet of the peaceful intentions of the government, "and that the troops would only be employed as a *posse comitatus* when called on by the civil authority to aid in the execution of the laws."⁸ But, as Mr. Remy in his *Journey to Salt Lake* so admirably points out, President Buchanan—

"Did not say that the presence of the troops who had formerly discharged that duty, or of those who had been quartered in Utah while on their way to California, under the command of Colonel Steptoe, had given great offense to the saints; that those troops had debauched, seduced, and carried off with them into California numbers of their women, and that the unfortunate 'Mormons' had nothing so much at heart as to keep clear for the future of any such scourge. Neither did he [Buchanan] state that if Major Van Vliet, who had been so well received by the 'Mormons,' had found them prepared to resist to the last extremity, it was because they were in fear not only for their faith and their morality, but for their independence. Neither did he [Buchanan] say that he had done nothing to allay their apprehensions; that he had not officially communicated his intentions; that the 'Mormons' were left to divine them, or to learn through the newspapers; and that, as the press was daily sounding the tocsin of war

courses, vol. ii, p. 318, *et seq.*; and again on the 8th of July, *Ibid*, p. 309.) Alluding to Steptoe's command in the first discourse cited, he said: "I do not know what I shall say next winter, if such men make their appearance here, as were some last winter. I know what I think I shall say, if they play the same game again, let the women be ever so bad, so help me God, we will slay them. * * * There are some things I learned, when I was in the south country lately, which I do not wish to mention, because of the friends of those girls who are gone; but when they passed through the southern settlements they were weeping all the time, and they are perhaps now in their graves. The men who coaxed them away did not intend to take them to California. If any offer to do the same things again, in these mountains, 'judgment shall be laid to the line and righteousness to the plummet;' and they say that Brigham does not lie."

8. *Messages and Papers of the Presidents*, published by authority of congress, 1897, vol. v, p. 455.

against them, they had a right to suppose that it was really war that was intended, and, in fact, which had been declared against them. Besides, had they not terrible precedents in their past, which were but little calculated to give them confidence in the pacific intentions of the government, or, at any rate, in its desire to protect them from the calumnies of their enemies, and to resist the pressure of the religious sects or of the papers which were their organs; or, even if it had the desire, could they trust to its capacity of efficiently carrying it out?"⁹

POLICY OF RESISTANCE JUSTIFIED

It is from the viewpoint of these historical facts, and from these conditions that the policy of resistance to the federal authority of the United States by the church leaders must be considered. It is easy now for writers in the dispassionate quiet of the study, with all the facts and circumstances in hand to see that it was not and could not have been the intention of the Buchanan administration, however, egregiously it blundered in respect of Utah affairs, to engage in a "war" for the demoralization or destruction of a religious community. But in the light of experiences of the Latter-day Saints, and in the absence of any clear understanding of what were the intentions of the administration—beyond the personal assurances of Captain Van Vliet, that could not be very emphatic because of his own but partial knowledge of the purpose of the "Expedition;" and ignorant also as they were of the excellent personnel of the officers in command—all this considered, it was not possible for the Latter-day Saint Church leaders to be so assured of the pacific intentions of the administration. The "Expedition" was an army, and an army meant war, not peace. It meant coercion, and very likely the subordination of the civil to the military authority. The coming of that armed "Expedition," therefore, meant to the Latter-day Saints of Utah the subversion of their constitutional rights, the destruction of their liberties—their religious freedom; their right of community self-government; perhaps, even, their community existence. Such being their conception of the mission of the "Army for Utah," they met the

9. M. Remy's *Journey to Great Salt Lake City*, vol. i, pp. 478-9.

issue as brave and strong men, conscious of the uprightness of their own course and intentions, always meet such manifest injustice, and such a menacing of their liberties: they resolved upon resistance. Their descendants would have less cause to be proud of them as Americans had they not, under all the circumstances, resolved upon resistance.

FURTHER ON CAPTAIN VAN VLIET'S MISSION

Captain Van Vliet, assistant quartermaster U. S. A., arrived in Salt Lake City on the 8th of September. He came as the advance agent of the "Utah Expedition" to make arrangements for its encampment in the territory, and for the purchase of what would be its necessary supplies. He had left his own escort at Ham's Fork, 143 miles distant. Ignoring the warning of mountaineers, met at Green river, he accepted as guides Bryant Stringham and Colonel N. V. Jones, of General Burton's command, who gave him safe conduct to Salt Lake City, where he was courteously received by Governor Young. On the 9th, as already noted, a meeting was arranged with the leading men of the city and of the church at the "Social Hall." Here the letter he bore from General Harney to "President Brigham Young, of the Society of Mormons," making known the purpose of the captain's visit, was read, and a full discussion had on the ability of the community to supply the timber, grain, beef, hay and other supplies that would be needed for the quartering and feeding of the army; as also a place for its encampment. The discussion had of these things was very agreeably conducted and it was evident that the community could furnish everything needed by the army. The captain during his sojourn of several days visited Rush valley, thirty-five or forty miles west of Salt Lake City, which had been considered as a suitable military reservation by Colonel Steptoe, but with which conclusion Captain Van Vliet did not agree. All the captain's negotiations, however, amounted to nothing. In reporting a few days later to Captain Pleasanton, Van Vliet declared that "the governor

[Young] informed me that there was abundance of everything I required for the troops, such as lumber, forage, etc., *but that none would be sold to us.*"¹⁰

On the 12th of September a prolonged interview took place between Van Vliet and President Young in which the questions at issue were freely discussed. The captain on his part, sought, albeit without success, to convince the president and the other church leaders present that the purpose of the government was not to make war upon them. "We do not want to fight the United States," said President Young, "but if they drive us to it, we shall do the best we can; and I will tell you, as the Lord lives, we shall come off conquerors, *for we trust in God.*" The president held that the outcome of the presence of the army was intended to be that the military would hold the saints still until a mob could come and kill them,¹¹ having in mind, of course, the experi-

10. See *House Executive Documents*, 35th Congress, 1st Session, No. 71, p. 25.

11. It was on this point of the interview that Captain Van Vliet afterwards reported upon to John B. Floyd, United States secretary of war, in the following language: "In conclusion, I would also state that Governor Young informed me that he had no objection to the troops themselves entering the territory; but if they allowed them to do so, it would be opening the door for the entrance of the rabble from the frontiers, who would, as in former times, persecute and annoy them; and to prevent this, they, the Mormons, had determined to oppose all interference of the government in the affairs of their territory." (*Senate Documents*, 35th Congress, 1st Session, vol. iii, p. 38). This was by no means mere fancy on the part of Brigham Young. It represented a real danger, the nucleus of which would be found in the one thousand teamsters to be discharged at the end of their journey, and the camp followers, which classes are thus described in the *Atlantic Monthly* for March, 1859—the article was written by one who accompanied the "Expedition" and who was in sympathy with Colonel Johnston.

"Another class of stragglers, and one most dangerous to the peace of the camp, was composed of the thousand teamsters who were discharged from employment on the supply trains. Many of these men belonged to the scum of the great western cities,—a class more dangerous because more intelligent and reckless, than the same class of population in New York. Others had sought to reach California, not anticipating a state of hostilities which would bar their way. Now thrown out of employment, with slender means, a great number became desperate. Hundreds attempted to return to the states on foot, some of whom died on the way, and nine-tenths of them would have perished, had they encountered the storms of the preceding winter among the mountains. But the majority hung around the camp. To some of these the quartermaster was able to furnish work, but he was obviously incapable of affording this assistance to all. Thefts and assaults became frequent, and promised to multiply as the season advanced. To remedy this trouble, Colonel Johnston assumed the responsibility of organizing a volunteer battalion. The term of service for which the men enlisted was nine months. For their pay they were to depend on the action of congress."

Had this contingent of the "Expedition"—"the scum of the great western cities,"

ences of Missouri and Illinois. He represented that both himself and the people loved the United States Constitution, and the laws. It was not the laws of the United States, but a corrupt administration of the laws under which the Latter-day Saints suffered. "There is not any of the government officers which have been sent here," said Governor Young, "who have any interest with us; but they have tried to destroy us." "This is the case with most men sent to the territories," replied Captain Van Vliet. "They received their offices as a stepping stone to the senatorship; but they have no interest for the people." The captain admitted that the saints had been lied about—"the worst of any people he had ever seen." "The greatest hold the world have now upon you is they accuse you of burning 900 volumes of the United States statutes." This President Young promptly denied; and remarked that if the government of the United States had arrived at that state that they will try to kill people for their religion, "no honorable man should be afraid of them." He held that if the United States "insist on whipping us, *they will get awfully whipped.*" The president held that the people of Utah had treated all men sent to the territory by the government as well as they had treated Captain Van Vliet. "We wish still to treat them well," he continued, "and we would like to ward off this blow if we could; but the United States are determined to drive us to fight; we cannot do anything but what the government will take exception to it." Again came up the experiences of Nauvoo; which reference ended with the statement that he [Governor Young] had broken no law, "and neither will I be taken by any United States officer to be killed as they have killed Joseph" [i. e. Joseph Smith, the Prophet]. The captain remarked that he did not think that it was the intention of the government "to

desperate withal, and more dangerous than the same class of population in New York—had they been discharged at Salt Lake City at the end of their journey and of their service for the government—the effect of their presence on the peace and good order of the Utah settlements, would not be difficult to forecast.

take" him, "but to install a new governor in the territory." President Young allowed that the captain believed this, "but you do not know their intention as well as I do." President Young denied that the saints were colleaguings with the Indians.

On the 14th the interview was renewed, on the eve of Captain Van Vliet's departure for the east. Governor Young said the people of Utah had always treated the United States officers well, but the latter had lied about the people. "We would still have received their governor and officers," he continued, "had they sent them here without any army; but in as much as they are disposed to send an army here to hold us still while others run their red hot iron into us and then kill us, we will now say that we will not have either their soldiers, armies, or officers any more here at all, and you may tell them so. We will just fight for our liberty and rights from this day forth. * * * If the government of the United States persists in sending armies to destroy us, in the name of the Lord we shall conquer them." It was on this occasion that President Young gave the warning of the danger to immigration from the Indians, and expressed his determination of laying waste the valley inhabited by the saints:

BRIGHAM YOUNG'S THREAT TO DESOLATE THE UTAH SETTLEMENTS
BY FIRE

"If they [the United States] commence the war, I shall not hold the Indians still by the wrist any longer for white men to shoot at them, but I shall let them go ahead and do as they please, and I shall carry the war into their own land, and they will want to let out the job before they get half way through. And even should an army of 50,000 men get into this valley, when they got here they would find nothing but a barren waste, we should burn everything that was wood and every acre of grass that would burn, and you may tell them that they must bring with them their forage for their animals for they will not find anything in this territory when they come. Again you may tell them they must stop all emigration across this continent for they cannot travel in safety. The Indians will kill all that attempt it."

Replying to this Captain Van Vliet said if the government made war upon the people he would "withdraw from

the army; for he would not have a hand in shedding the blood of American citizens."¹²

The captain said he thought congress would do all it could against Utah's people. Governor Young replied: "If God inspires any man to speak for us it will be well. We have got to trust in God. If you will speak in favor of us, and I think you will, the Lord will bless you for so doing. He will require it of you. We have refuted lies so long we have got tired of it, and we shall now trust in God for the future."

"Congress could send out an investigating committee to Kansas,¹³ or any other place but to Utah," continued the governor; "but upon the mere rumor of liars they send out 2,000 armed soldiers to Utah to destroy the people without investigating the subject at all." Captain Van Vliet replied: "The government may yet send out one [i. e. an investigating committee] to Utah, and consider it policy before they get through with it." "I do think that God has sent you out here," said Governor Young, "and that good will grow out

12. In a discourse Captain Van Vliet heard that day, Governor Young had said: "Were I an officer sent to Utah for the purpose of aiding the unhallowed oppression of the innocent (and in this connection I disclaim all personalities)—[though doubtless he had Van Vliet, present on the stand, in mind]—I would know the facts in the case, before I made any hostile move; and sooner than side with tyranny and murder I would resign my commission." The remarks of Van Vliet above were doubtless in response to the sentiments of President Young. The interview quoted to the point noted above is given at length in *Woodruff's Journal, Ms.*, entry for 13th of September (Sunday) 1857. What follows from the point here referred to in the text, is from *Woodruff's Journal* entry of the 20th of September, 1857, as "conversation that passed between President Young and Captain Van Vliet not before recorded in my journal." The parts of the interview published by Tullidge is garbled; and as given in condensed form in *Wilford Woodruff—A History of his Life and Labors*, Cowley, 1909, it should not have been inclosed in quotation marks.

13. Governor Young was quite accurate in his reference to an investigating committee for Kansas. In Leverett W. Springs' *History of Kansas*—of the *American Commonwealth* series, edited by Horace E. Scudder—occurs the following passage on the subject: "Out of the various bills, comprises, substitutes, amendments, which appeared in congress during the spring and summer of 1856, a single measure only emerged that reached any practical importance—the appointment by the house of representatives of an investigating committee, the members of which were William A. Howard, of Michigan, John Sherman, of Ohio, and Mordecai Oliver, of Missouri. This committee proceeded to the territory, held its first meeting at Kansas City, April 14th, examined three hundred and twenty-three witnesses, who represented every shade of political opinion, and on the 1st and 2nd of July presented a report, in which a great mass of facts is accumulated wholly creditable to neither side." (*History of Kansas*, p. 108).

of it. I was glad when I learned that you were coming." The captain expressed himself as anxious to get back to Washington. He had heard that General Harney had been called to Kansas as governor. He expressed his intention to stop the government trains at Ham's Fork on his own responsibility, "and leave them there." President Young said: "If we can only keep the peace for this winter, I do think something will turn up that may save so much shedding of blood." Van Vliet expressed the opinion that the troops would have to stop on Ham's Fork for the winter, "for their provisions will be late coming up."

The day of the above interview (Sunday) Captain Van Vliet had listened to four discourses in the "Old Tabernacle" by three different men, Geo. A. Smith, John Taylor and Brigham Young, the last speaking both at the forenoon and the afternoon services. Elder Smith described the military spirit and military preparations of the people in the south counties:¹⁴ "I never found them in better spirits," said the speaker. "They are willing any moment," he continued, "to touch fire to their homes, and hide themselves in the mountains, and to defend their country to the very last extremity."¹⁵

"Would you, if necessary, brethren," John Taylor said in his discourse that day, "put the torch to your buildings and lay them in ashes, and wander homeless into the mountains? I know what you would say and what you would do."

14. The speaker described the feeling at Cedar where a rumor prevailed that a force of 600 dragoons was coming upon the town from the east. "The major [Isaac C. Haight] seemed very sanguine about the matter [i. e. that the force of dragoons were coming]. I asked him if this rumor should prove true if he was not going to wait for instructions. He replied there was no time to wait for any instructions; and he was going to take his battalion and use them up before they could get down through the canons; 'for,' said he, 'if they are coming here, they are coming here for no good.'" (Discourse is published in *Deseret News* of Sept. 23rd, 1857).

15. *Deseret News* for Sept. 23rd, 1857, p. 231. While walking through the garden and orchard of Professor Albert Carrington, in company with President Young, Captain Van Vliet "asked Mrs. Carrington if she was willing to cut down her fine peach orchard for her faith and religion. She said 'Yes,' and 'would sit up nights to do it, if necessary.'" (*Woodruff's Journal, Ms.*, entry for Sept. 9th, 1857).

President Young: "Try the vote."

Taylor: "All you that are willing to set fire to your property and lay it in ashes, rather than submit to their military rule and oppression, manifest it by raising your hands."

The congregation unanimously raised their hands.

Taylor [resuming]: "I know what your feelings are. We have been persecuted and robbed long enough, and in the name of Israel's God, we will be free! (the whole congregation responded 'Amen!') and President Young said, 'I say amen to that all the time')!"

President Young was even more emphatic in his expressed determination to resist the coming of the army than the other brethren. He said:

"We have transgressed no law, and we have no occasion to do so, neither do we intend to; but as for any nation's coming to destroy this people, God Almighty being my helper, they cannot come here. (The congregation responded a loud 'Amen'). That is my feeling upon the point."

"WE ASK NO ODDS OF THEM"—THE UNITED STATES

He declared that he asked "no odds" of the United States:

"On the 24th of July last a number of us went to Big Cottonwood canon, to pass the anniversary of our arrival into this valley. Ten years ago the 24th of last July a few of the elders arrived here and began to plow and to plant seeds, to raise food to sustain themselves. Whilst speaking to the brethren on that day I said, inadvertently, if the people of the United States will let us alone for ten years we will ask no odds of them; and ten years from that very day we had a message by Brothers Smoot, Stoddard and Rockwell, that the government had stopped the mail and that they had ordered 2,500 troops to come here and hold the 'Mormons' still while priests, politicians, speculators, wh— mongers and every mean, filthy character that could be raked up should come here and kill off the 'Mormons.' I did not think about what I had said ten years ago, till I heard the president of the United States had so unjustly ordered troops here, and then I said, when my former expression came to my mind, '*In the name of Israel's God, we ask no odds of them.*'"

Governor Young then refuted one of the assumptions

of Senator Douglas' Springfield speech, charging that nine-tenths of the inhabitants of Utah were "aliens by birth who have refused to become naturalized,"¹⁶ in the following manner:

"There is one thing I want done, for the satisfaction of Captain Van Vliet. One of our old senators, Stephen A. Douglas, recently said, before his constituents in Illinois, that nine-tenths of our people were aliens. We have a larger proportion of foreigners in this city than in any other part of the territory, and there are a good many here today who have just come in from the plains. I want those who are native born and naturalized American citizens to raise their right hands. (Over two-thirds of the congregation raised their hands). You who have not yet received your naturalization papers will please manifest it in the same way. (Less than a third of the congregation raised their hands). Now, captain, you can see for yourself over two-thirds of this congregation are either native born or naturalized American citizens.

I have called this vote that Captain Van Vliet may be able to do as he always does, speak the truth boldly and tell them of it next winter in Washington; and, that he can, if he sees Senator Douglas in Washington, tell him that his statement was false, for he has seen for himself."

Later in the discourse he said:

"They never did anything against Joseph till they had ostensibly legalized a mob, and I shall treat every army and every armed company that attempts to come here, as a mob. (The congregation responded 'Amen'). You might as well tell me that you can make hell into a powder house, as to tell me that you could let an army in here and have peace; and I intend to tell them and to show them this, if they do not keep away."

In the afternoon discourse there was much more to the same effect:

"Liars have reported that this people have committed treason, and upon their lies the president has ordered out troops to aid in officering this territory, and if those officers are like many who have previously been sent here, and they have come when they know they are not wanted, they are poor, miserable blacklegs, broken down political hacks, robbers and wh— mongers, men that are not fit for civilized society, so they must dragoon them upon us for officers. I feel that I won't bear such cursed treatment, and that is enough to say, for we are just as free as the mountain air.

I do not lift my voice against the great and glorious government

16. See *ante*, this *History*, chapter civ.

guaranteed to every citizen by our Constitution, but against those corrupt administrators who trample the Constitution and just laws under their feet."¹⁷

In addition to these passages there were extravagant and ill-advised things said on this occasion, also both before and after it; and who would expect, in such stress of feeling as was occasioned by such a remembering of "the wrongs of Missouri," such a *not-for-getting* the "fate of Nauvoo"—who would look for cool judgment and temperate speech?

The speeches he heard that day, the interviews that preceded and followed them, justified all that Captain Van Vliet reported to Captain Pleasanton, (A. A. adjutant general, "Army for Utah," Fort Leavenworth), and later to the secretary of war in Washington;¹⁸ indeed the captain is to be commended for his accuracy of statement and his evident intention to serve both his country and the people of Utah by representing conditions as he found them. His course doubtless contributed much to bringing about the final composition of the difficulties.

On his return east Captain Van Vliet was accompanied by Dr. John M. Bernhisel, Utah's delegate to congress. On reaching the slowly advancing United States troops, just emerging from the South Pass, Van Vliet advised them not to attempt to enter Salt Lake valley that winter, as no arrangements could be made for their supplies; also they would have to fight their way through if the march was attempted. Some of the younger officers were disposed to make light of the warning, and expressed confidence in their ability to force their way through to Salt Lake City, and began doubling their usual

17. All four discourses were delivered in the presence of Captain Van Vliet and will be found reported in full in the *Deseret News* of Sept. 23rd, 1857. And in vol. v of *Journal of Discourses* under date, Sept. 13th, 1857. The visit of Captain Van Vliet is described at length in the *News* of the 16th of September.

18. These reports are published in *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, pp. 24-27; and in *Senate Documents*, 35th Congress, 1st Session, vol. iii, pp. 37-8. The report to Pleasanton is given in full in "The Echo Canon War," *Contributor*, vol. iii, p. 147, *et seq.*

march of fifteen miles per day.¹⁹ The matter of their reaching Salt Lake valley by forced marches, however, was determined by other than their own will.

19. This from the report of Colonel N. V. Jones who accompanied Captain Van Vliet and Dr. Bernhisel until they passed both sections of Colonel Alexander's command. "Elder Nathaniel V. Jones arrived this morning from the United States army. He visited with Captain Van Vliet both regiments. The first was the 10th regiment: that was a full regiment. The officers were young and full of fire, and they swore they would come in anyhow—they could whip out Utah. Captain Van Vliet advised them not to come for they could get nothing; they would have to fight their way. But they swore they would fight their way through. After Van Vliet left them they marched thirty miles instead of fifteen the next day. The second regiment he met with were old officers. They considered the matter over more and thought it an imposition to be sent out here as a political movement to kill innocent people or to get killed. They will be at Pacific Springs tonight and our brethren will commence operation upon them" (*Woodruff's Journal, Ms.*, entry for Sept. 25th, 1857). In his journal entry for the 28th September, Woodruff again reverts to a conversation with Colonel Jones in which the latter said that Captain Van Vliet "tried to persuade the army to stay on Ham's Fork or in that region; but the 10th regiment swore that they had started for Salt Lake and they would go then. Captain Van Vliet told them that we should not let them come, and they would find a different warfare from anything they had met with." (The same matter is in *History of Brigham Young, Ms.*, for September, 1857, p. 567).

CHAPTER CVII

THE "UTAH WAR": THE CAMPAIGN—BURNING OF GOVERNMENT SUPPLY TRAINS—SNOWED IN

THE day following the departure of Captain Van Vliet, Governor Young determined upon a definite course of action in harmony with his representations to the captain, and issued the following proclamation bearing date of September 15th, 1857.

PROCLAMATION BY THE GOVERNOR

"Citizens of Utah:

We are invaded by a hostile force who are evidently assailing us to accomplish our overthrow and destruction.

For the last twenty-five years we have trusted officials of the government, from constables and justices to judges, governors and presidents, only to be scorned, held in derision, insulted and betrayed. Our houses have been plundered and then burned, our fields laid waste, our principal men butchered while under the pledged faith of the government for their safety, and our families driven from their homes to find that shelter in the barren wilderness and that protection among hostile savages, which were denied them in the boasted abodes of christianity and civilization.

The Constitution of our common country guarantees unto us all that we do now, or have ever claimed. If the constitutional rights which pertain unto us as American citizens were extended to Utah, according to the spirit and meaning thereof, and fairly and impartially administered, it is all that we could ask, all that we have ever asked.

Our opponents have availed themselves of prejudice existing against us because of our religious faith, to send out a formidable host to accomplish our destruction. We have had no privilege, no opportunity of defending ourselves from the false, foul, and unjust aspersions against us before the nation. The government has not condescended to cause an investigating committee or other persons to be sent to inquire into and ascertain the truth, as is customary in such cases.

We know those aspersions to be false, but that avails us nothing. We are condemned unheard and forced to an issue with an armed, mercenary mob, which has been sent against us at the instigation of anonymous letter writers ashamed to father the base, slanderous falsehoods which they have given to the public; of corrupt officials who have brought false accusations against us to screen themselves in their own infamy; and of hireling priests and howling editors who prostitute the truth for filthy lucre's sake.

The issue which has been thus forced upon us compels us to resort to the great first law of self-preservation and stand in our own defense, a right guaranteed unto us by the genius of the institutions of our country, and upon which the government is based.

Our duty to ourselves, to our families, requires us not to tamely submit to be driven and slain, without an attempt to preserve ourselves. Our duty to our country, our holy religion, our God, to freedom and liberty, requires that we should not quietly stand still and see those fetters forging around, which are calculated to enslave and bring us in subjection to an unlawful military despotism such as can only emanate (in a country of constitutional law) from 'usurpation, tyranny and oppression.

Therefore, I, Brigham Young, governor, and superintendent of Indian affairs for the territory of Utah, in the name of the people of the United States in the territory of Utah,

1st—Forbid all armed forces, of every description, from coming into this territory under any pretense whatever.

2d—That all the forces in said territory hold themselves in readiness to march, at a moments' notice, to repel any and all such invasion.

3d—Martial law is hereby declared to exist in this territory, from and after the publication of this proclamation; and no person shall be allowed to pass or repass into, or through, or from this territory, without a permit from the proper officer.

Given under my hand and seal at Great Salt Lake City, territory of Utah, this fifteenth day of September, A. D., Eighteen Hundred and Fifty-seven, and of the Independence of the United States of America the eighty-second.

[Signed] "BRIGHAM YOUNG."¹

Following this proclamation, companies of the territorial militia aggregating twelve hundred and fifty men were ordered to report at Echo canon to maintain it by force of arms. On Sunday, September 27th,² Daniel H. Wells, lieutenant general of the army, with some members of his staff, and with Elders John Taylor and Geo. A. Smith, added as "counselors" left Salt Lake City for the field of probable conflict. Before starting these brethren were each set apart by the solemn imposition of hands and blessing by the presidency of the church. To their conception it was a sacred

1. *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, pp. 34, 35.

2. Some histories of these events give the 29th as the date of General Wells' departure—see Tullidge, also J. F. Wells in *Echo Canon War, Contributor*; *Woodruff's Journal*, however, gives the 27th as the date of departure, and one p. m. as the time. With this the *History of Brigham Young, Ms.*, agrees, see entry for 27th Sept., 1857, pp. 565-6.

mission—this going to the battlefield in defense of their people; one upon which the divine blessing could appropriately be invoked, and holy consecration to the service made.

Arriving at Echo canon—the western mouth, distant from Salt Lake City about forty miles,³ as the road then ran—General Wells placed the militia men who had arrived at the rendezvous under direction of Colonels N. V. Jones and J. D. T. Mc Allister, with orders to construct such fortifications and breastworks as they might be able to make at the “Narrows” in Echo canon, and on the heights along the whole length of this mountain gorge.⁴

General Wells himself with a small escort pushed on to Fort Bridger, where on the 30th he met with Colonel R. T. Burton and Lewis Robison and from them received reports concerning the movements, the present location, and probable intentions of the “Expedition.” The United States forces under Colonel Alexander were now on Ham’s Fork, about fifteen miles above its junction with Black’s Fork, the latter a tributary,—flowing southeasterly—of Green river. His encampment the colonel had named “Camp Winfield,” in honor of General Winfield Scott, then lieutenant general of the United States army. The first divisions of the “Expedition” had been making hurried marches since crossing Green river, partly to satisfy the ardor of the officers and men of the 10th regiment, impatient to reach Salt Lake

3. L. D. S. *Emigrant Guide*, Wm. Clayton, p. 19, Addenda, vol. iii, this *History*.

4. “The Narrows” are about four miles from the mouth of the canon, and constitute a defile where both sides of the canon become perpendicular. Elsewhere along the canon the perpendicularity is characteristic of the northern side only, where the height of the buttresses vary from 300 to 500 feet. They are denuded and water-washed by the storms that break upon them, carried by southerly prevailing winds. “Their strata here,” [at the “Narrows”], says Captain Burton, “are almost horizontal, they are inclined at an angle of forty-five degrees, and the strike is northeast and southwest. The opposite or southern flank being protected from the dashing and weathering rain and wind is a mass of rounded soil-clad hills, or sloping slabs of rock, earth-veiled, and growing tussocks of grass.” (*City of the Saints*, p. 184). Captain Burton did not think well of the strategic importance of the “Narrows,” or of the whole canon. (*Ibid*). Subsequently fortifications were made along East Canon Creek. Colonel N. V. Jones with a force of 344 men went on to East Canon Creek to throw up breastworks and other obstructions to the enemy, leaving Jonathan Pugmire in command at the mouth of Echo. (*History of Brigham Young, Ms.*, entry Oct. 24th, 1857, p. 741).

valley, as per their expressed determination to Captain Van Vliet, and partly to protect several advanced supply trains which had been encamped, practically unguarded for some weeks, on Ham's Fork.

From his camp at Fort Bridger General Wells forwarded to Colonel Alexander two copies of Governor Young's Proclamation, a copy of the laws of Utah and a letter from Governor Young addressed to "*The officer commanding the forces now invading Utah territory.*" No summary would do the document justice, hence it is given here in full:

GOVERNOR YOUNG'S PROCLAMATION TO THE COMMANDER OF THE
"UTAH EXPEDITION"

"Governor's Office, Utah Territory,
Great Salt Lake City,
September 29, 1857.

Sir:—By reference to the act of congress passed September 9, 1850, organizing the territory of Utah, published in the laws of Utah, herewith forwarded, pp. 146-7, you will find the following:

Sec. 2. And be it further enacted, That the executive power and authority in and over said territory of Utah shall be vested in a governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the president of the United States. The governor shall reside within said territory, shall be commander-in-chief of the militia thereof, etc., etc.

I am still the governor and superintendent of Indian affairs for this territory, no successor having been appointed and qualified, as provided by law; nor have I been removed by the president of the United States.

By virtue of the authority thus vested in me, I have issued, and forwarded you a copy of my proclamation forbidding the entrance of armed forces into this territory. This you have disregarded. I now further direct that you retire forthwith from the territory, by the same route you entered. Should you deem this impracticable, and prefer to remain until spring in the vicinity of your present encampment, Black's Fork, or Green river, you can do so in peace and unmolested, on condition that you deposit your arms and ammunition with Lewis Robison quartermaster-general of the territory, and leave in the spring, as soon as the condition of the roads will permit you to march; and should you fall short of provisions, they can be furnished you, upon making the proper applications therefor. General D. H. Wells will forward this, and receive any communication you may have to make.

Very respectfully,

[Signed] "BRIGHAM YOUNG,"
Governor and Superintendent of Indian Affairs,
Utah Territory."⁵

5. *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, p. 33.

General Wells' letter accompanying these documents informed the "commander of the forces then invading Utah," that he was on the ground to "aid in carrying out the instructions of Governor Young." In closing he said: "Trusting that your answer and actions will be dictated by a proper respect for the rights and liberties of American citizens, I remain, etc."

These papers were entrusted for deliverance to General Robison and Major Lot Smith, who sent them from a short distance outside of Camp Winfield—as they were permitted to do by their instructions—by the hand of a Mexican mountaineer named Marianne.⁶ Colonel Alexander gave the only answer possible for him to make to Governor Young's demands. He acknowledged receipt of the several communications; announced himself the present senior commanding officer of the United States troops at his encampment; he would submit the communications to the colonel commanding as soon as he arrived. It was also announced that the troops at Camp Winfield were there by the orders of the president of the United States; and that their future movements would depend upon "orders issued by competent authority," among whom, of course, the governor of Utah was not recognized.

THE ISSUE—TERRITORY *vs.* BUCHANAN ADMINISTRATION

The issue for the campaign was now joined. It was for the commander of the Utah militia to take the initiative if the "war" between the United States and Utah was to eventuate in action. Immediate developments will disclose that there was no hesitancy on the part of General Wells. Of course, from the first, when resistance was determined upon it was not the intention to engage in pitched battles with the regular troops of the United States. The necessity for the Utah people conserving all their forces for what might be a prolonged "war," the final destruction of their settle-

6. Journal of Geo. A. Smith during his presence at the front, from the 30th of September to the 24th of October, 1857, copied into *History of Brigham Young, Ms.*, for 1857, from p. 709 to 742.

ments in Utah, and flight into the mountains, and perhaps southward into Mexico, made necessary and justified the Fabian method determined upon and followed.

The answer of Colonel Alexander to the several communications sent to him by General Wells was received in the latter's encampment at Fort Bridger on the evening of the 2nd of October, and forwarded by express to Governor Young. "The letters were as respectful as could be anticipated," writes the chronicle followed in this part of the campaign; "but did not comply with the governor's request, nor did it alter any of our arrangements."⁷

A council of war was held by the Nauvoo Legion officers at Fort Bridger on the afternoon of the 3rd of October.⁸ It was decided in the council to begin active operations against the "Expedition." Major McAllister was on the Oregon road watching the movement of the troops from that point; O. P. Rockwell was sent to his assistance and with orders to burn the grass on all routes to Salt Lake valley, beginning with the road *via* Soda Springs. Colonel Burton, whose command was then encamped at Fort Supply was to break encampment and cooperate in these maneuvers, annoying the "Expedition" in all the ways in his power "without risking his men."⁹

As Fort Bridger and adjacent Fort Supply, on Smith's Fork, would in all probability fall into the hands of the regular troops, and would be available for winter quarters for the "Expedition," after caching the grain that had been raised there, and other property that could not be taken away, Fort Bridger was burned on the 3rd of October, quartermaster-general of the territory, Lewis Robison, applying the

7. Journal of Geo. A. Smith, entry for 2nd Oct, copied into *History of Brigham Young, Ms.*, entry for Oct., 1857, p. 714.

8. There were present General D. H. Wells, his ecclesiastical advisors, Elders John Taylor and Geo. A. Smith; also Generals Ferguson, H. B. Clawson, Lewis Robison, Colonels R. F. Burton, Bryant Stringham; O. P. Rockwell, and Captain Judson Stoddard. (Geo. A. Smith's Journal in *History of Brigham Young, Ms.*, Oct., 1857, p. 715).

9. *Ibid*, pp 715-716.

torch.¹⁰ "It burned very rapidly and made a great fire." The property destroyed amounted to about \$2,000. Two or three days later Fort Supply was burned, by the Utah militia. The mills, buildings and other property destroyed were estimated at a value of \$50,000.¹¹ Great activity was manifested by the several militia commands in firing the grass, running off and stampeding the stock of the "Expedition" on every possible occasion; but at first the raids upon the stock were attended with no very great success, as the herds were thoroughly guarded.

This was the inauguration of that policy of defensive warfare which had been determined upon, and which is best expressed in orders and instructions to the colonels, majors and captains leading the various separate commands operating in the field. A copy of these letters of instructions fell into the hands of United States army officers and was reported to the administration at Washington by Fitz J. Porter, assistant adjutant general to Colonel Johnston. It was found upon the person of Major Joseph Taylor, of Weber county, when he was captured early in October. Taylor was commander of one hundred men, but was captured by a squad of Captain Marcy's troops, while with his adjutant, W. R. Stowell and three others, he was temporarily separated from his command. Following is the letter of instructions found upon his person:

INSTRUCTIONS TO UTAH MILITIA OFFICERS

"Headquarters Eastern Expedition,
Camp Near Cache Cave,
Oct. 4, 1857.

You will proceed, with all possible dispatch, without injuring your animals, to the Oregon road, near the bend of Bear river, north by east of this place. Take close and correct observation of the country on your route. When you approach the road, send scouts ahead, to ascertain if the invading troops have passed that way. Should they have passed, take a concealed route, and get ahead of them. Express to Colonel Burton, who is now on that road and in the vicinity of the

10. *Ibid*, p. 717.

11. *Ibid*, p. 720.

troops, proceed at once to annoy them in every possible way. Use every exertion to stampede their animals and set fire to their trains. Burn the whole country before them, and on their flanks. Keep them from sleeping by night surprises; blockade the road by felling trees or destroying the river fords where you can. Watch for opportunities to set fire to the grass before them that can be burned. Keep your men concealed as much as possible, and guard against surprise. Keep scouts out at all times, and communications open with Colonel Burton, Major McAllister and O. P. Rockwell, who are operating in the same way. Keep me advised daily of your movements, and every step the troops take, and in which direction.

God bless you, and give you success.

Your brother in Christ,

DANIEL H. WELLS.

P. S.—If the troops have not passed, or have turned in this direction, follow in their rear, and continue to annoy them, burning any trains they may leave. *Take no life, but destroy their trains, and stampede or drive away their animals, at every opportunity.*

Major Joseph Taylor.

[Signed] "D. H. WELLS."¹²

General Wells, meantime had visited the several militia camps in Echo canon and inspected their fortifications.

THE BURNING OF UNITED STATES WAGON TRAINS

While yet at Bridger, October 3rd, General Wells ordered Major Lot Smith to take a small company of men and intercept the supply trains then advancing from South Pass

12. This order was of course turned over to the proper officers of the "Expedition," and was indorsed as follows:

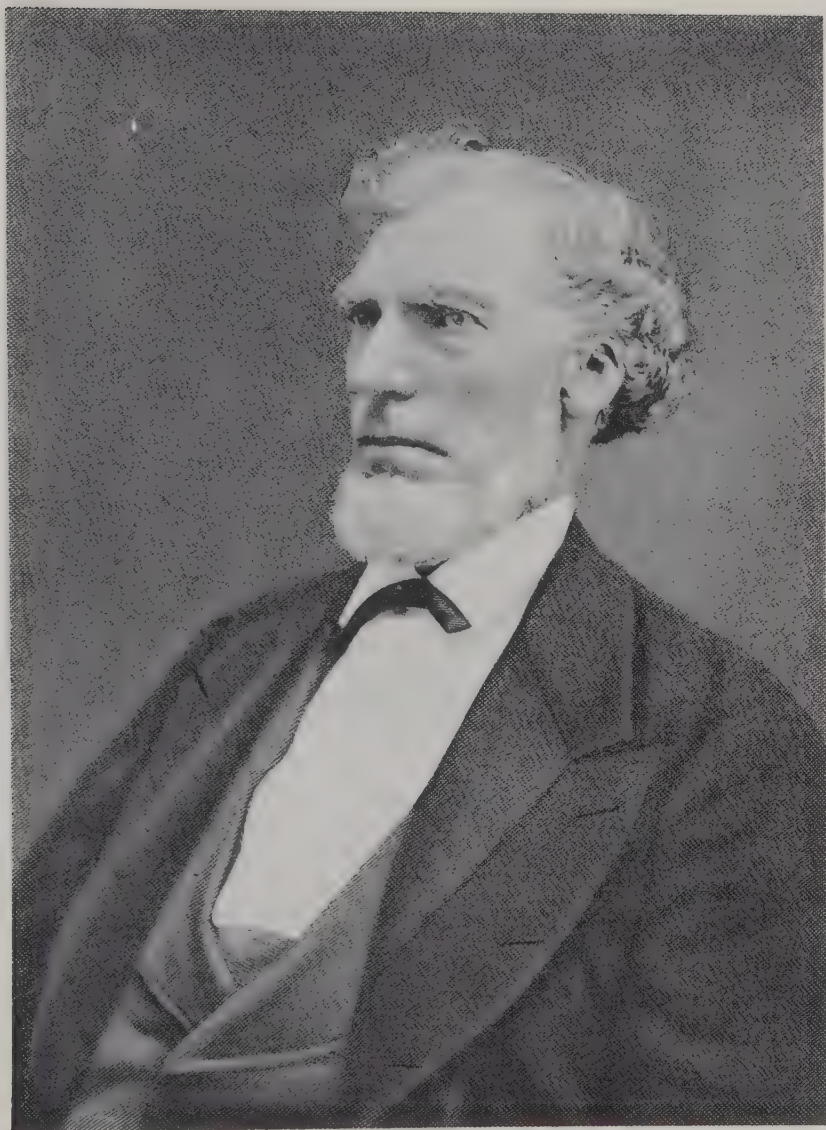
"Headquarters Army of Utah,
Black's Fork, 16 miles from Fort Bridger,
En route to Salt Lake City, November 7, 1857.

A true copy of instruction in the possession of Major Joseph Taylor, when captured.

F. J. PORTER,
Assistant Adjutant General."

(*House Executive Documents*, 35th Congress, 1st Session, x, No. 71, pp. 56, 57).

Linn quotes the body of this order, but omits the postscript with its important instruction, "*Take no life.*" (*Story of the Mormons*, p. 489). A letter bearing date of Sept. 14, 1857, addressed to Wm. H. Dame, Parowan, and signed by D. H. Wells and Brigham Young, outlines practically the same plan of campaign, for southern captains of commands, but emphasizes the intention to shed no blood, if that can be avoided. "*Save life always if it is possible—we do not wish to shed one drop of blood if it can be avoided. This course will give us great influence abroad.*" (The letter *in extenso* is published in Introduction to *Lee's Mormonism Unveiled*, pp. 18, 19). Evidently on the part of the "Mormons" the campaign was to be bloodless if possible.



DANIEL H. WELLS

Commander in chief of the Utah militia in the
"Utah War."

and either turn them back or *burn them*.¹³ Accordingly, with a command of forty-four men, rank and file, among whom were Captain Horton D. Haight, and Thomas Abbott and John Vance, officers, he started upon his mission.

The command rode eastward all night, and early the next morning came in sight of an ox train headed westward. This was in charge of a Captain Rankin. Major Smith informed him that he must turn his train and "go the other way, until he reached the states." When the train captain inquired by what authority such orders were issued, Major Smith pointed to his men saying there was part of it, the rest was concealed in the bush. Rankin swore roundly at the orders, but nevertheless turned his train eastward. As soon as Major Smith's company was out of sight, however, he would turn again to the west. Some United States troops met him that day, and taking out his lading he left the wagons and teams standing. This near Green river, and that night Major Smith camped in close proximity to these troops.

Having had but partial success with Rankin's train Major Smith determined upon bolder measures. Though his command was small, he divided it; sending Captain Haight with nineteen men "to see if he could get the mules of the 10th regiment on any terms." With the remaining twenty-three men he started for Sandy Fork to intercept trains approaching from the direction of South Pass. When he had reached Big Sandy, a stream from the northeast, tributary to Green river, his scouts reported to him a train of "twenty-six large freight wagons on the old 'Mormon' trail." He

13. It will give the psychological atmosphere of the "Mormon" militia camps if the manner in which this order was given and received is related in Major Lot Smith's own language: "I was invited to take dinner with the commanding general and his aids. During the meal, General Wells, looking at me as straight as possible, asked if I could take a few men and turn back the trains that were on the road or *burn them*. I replied that I thought I could do just what he told me to. The answer appeared to please him, and he accepted it, telling me that he could furnish only a few men, but that they would be sufficient, for they would appear many more to our enemies. As for provisions, none would be supplied, as we were expected to board at the expense of Uncle Sam. As this seemed to be an open order, I did not complain." (Major Lot Smith's Narrative, *Contributor*, vol. iii, pp. 271-272).

resolved on destroying this train and rode back fourteen miles for that purpose. Arriving near the trains he discovered that the camp was very much awake, the teamsters drinking. Knowing the likelihood of men under the influence of liquor to be quarrelsome and ready to fight, Major Smith kept his command in ambush, meanwhile sending scouts to "ascertain the exact number and position of the wagons. Twenty-six wagons, in two lines, a short distance apart," was the scout's report. When Smith's command rode into the camp its leader discovered he had misunderstood his scout's report; for instead of twenty-six wagons in two lines a short distance apart, there were two lines a short distance apart with twenty-six wagons in each! Glancing over his shoulder as he rode into the campfire light he discovered that his men apparently stretched out indefinitely, and trusting to the camp's being deceived by this false appearance of numbers he proceeded with his enterprise, notwithstanding the odds against him.

Calling for the commander, a Mr. Dawson answered, to whom Major Smith explained his intention of burning the train, but informed him that the men might take from the wagons their private property if they would do so quickly. "For God's sake," said Captain Dawson, "don't burn the trains!" "It is for his sake that I am going to burn them," replied Major Smith coolly.

Without more ado the camp was disarmed, the arms stacked and the men put under guard. In the midst of these proceedings a messenger rode into camp from Colonel Alexander. His message was for Captain Rankin, and verbal. Major Smith insisted upon its being delivered in his presence, and intimated to the courier that if he lied in repeating it his life would be forfeited. The message from Colonel Alexander notified the train captain that "the Mormons were in the field; that the captain and teamsters must not go to sleep; but keep night guard on their trains; and that four com-

panies of cavalry and two pieces of artillery would come over in the morning to escort them to camp."¹⁴

While Smith's command was burning the first train a guard from the second came up to see what was going on. He was ordered to give no alarm. Shortly afterwards, and taking Captain Dawson with him to the second train, Major Smith proceeded to set fire to it. Then ordering the train men to make no attempt to put out the fires he rode away leaving both trains ablaze.¹⁵ Fifty-one wagons and their contents were completely destroyed in this first burning.

Major Smith's command went to the bluffs of Green river, from which point its leaders sent a single courier to report their success to General Wells. After allowing his men a night's rest, Major Smith sallied forth again and met a supply train at a point on the Big Sandy, since known as "Simpson's Hollow." There were twenty-five wagons in this third train, and allowing the teamsters and Captain Simpson to load up two of the wagons with provisions and clothing for their personal use, the rest of the train was burned.

The capture and burning of this third train was attended with dramatic circumstances. When Major Smith came up to the train and asked for the train master he was informed

14. Lot Smith's Narrative in *Echo Canon War*, Wells, *Contributor*, vol. iii, p. 273. This courier from Alexander was very much frightened, and he stated afterwards that he expected every minute to be killed when he found he had fallen into the hands of the "Mormons." As it was he pleaded vigorously for his life, and Major Smith with grim humor told him that "soldiers' lives were not worth much, it was only the 'bull-whackers' (i. e. teamsters) that could hope to get off easily." (*Ibid*).

15. Major Smith asked Dawson if there was any powder in the wagons. After consulting his bills of lading Dawson replied that there were large quantities of saltpeter and sulphur, and this was nearly as dangerous as powder. This in the hope, doubtless, of discouraging any further burning of the wagons. Smith told the captain he would take no chances with his own men and intimated that he would call upon him to set fire to the remaining wagons. Whereupon Dawson begged piteously not to be forced to set fire to the wagons—"He had been sick, was not well yet, and did not want to be hurt." Major Smith excused him and selected a character known as "Big James," an Irishman, instead, "he not being afraid of saltpeter or sulphur either," says Smith's Narrative, and "I thought it was proper for the Gentiles to spoil the Gentiles." Smith, himself, however, seized a torch and accompanied "Big James" in the destructive work. (*Echo Canon War, Contributor*, vol. iii, pp. 273-4).

that the "captain" was out after cattle. After disarming the teamster the major rode out and met the captain whose name was Simpson, about half a mile from the train. "I told him," says Smith's narrative, "that I came on business. He inquired the nature of it, when I demanded his pistols. He replied: 'By G—d, sir, no man ever took them yet, and if you think you can, without killing me, try it.' We were all the time riding towards the train, with our noses about as close together as two Scotch terriers would have held theirs—his eyes flashing fire; I couldn't see mine—I told him that I admired a brave man, but that I did not like blood—you insist on my killing you, which will only take a minute, but I don't want to do it. We had by this time reached the train. He, seeing that his men were under guard, surrendered, saying: 'I see you have me at a disadvantage, my men being disarmed.' I replied that I didn't need the advantage and asked him what he would do if we should give them their arms. 'I'll fight you!' 'Then,' said I, 'We know something about that too—take up your arms!' His men exclaimed, 'Not by a d—n sight! We came out here to whack bulls, not to fight.' 'What do you say to that, Simpson?' I asked. 'Damnation,' he replied, grinding his teeth in the most violent manner, 'If I had been here before and they had refused to fight, I would have killed every man of them.' "

"Captain Simpson was the bravest man I met during the campaign. He was a son-in-law of Mr. Majors, a large contractor for government freighting. He was terribly exercised over the capture of his train, and wanted to know what kind of a report he could make to the commander, and what he could do with his crowd of cowardly teamsters left on the plains to starve. I told him that I would give him a wagon loaded with provisions. 'You will give me two, I know it by your looks!' I told them to hurry up and get their things out, and take their two wagons for we wanted to go on. Simpson begged me not to burn the train while

he was in sight, and said that it would ruin his reputation as a wagon master. I told him not to be squeamish, that the trains burned very nicely, I had seen them before, and that we hadn't time to be ceremonious. We then supplied ourselves with provisions, set the wagons afire, and rode on about two miles from the stream to rest."¹⁶

The amount of property destroyed in burning these seventy-four wagons was considerable, and appears in detail in Commissary Clarke's report in the *House Documents* of the 35th Congress.¹⁷ The action of Major Smith received high commendation from General Wells, and he was urged to continue his attacks upon the trains; to keep the enemy under arms by night surprises and thus wear them out. "May the Lord God of Israel bless you," said General Wells' letter, and "help you to hedge up the way of our enemies and cause them to leave the territory."¹⁸

While camped a short distance from the scene of this latest exploit, for a much needed rest, a most painful acci-

16. Lot Smith's Narrative, *Contributor*, vol. iv, pp. 27, 28.

17. List of subsistence stores in supply trains (Russell and Waddell's) Nos. 5, 9 and 10, burned by the "Mormons" at Green River, Utah, on the night of October 4, 1857:

	No. of Rations.
2,720 pounds ham.	
92,700 pounds bacon	115,875
167,900 pounds flour	149,244
270 bushels beans	108,000
8,580 pounds Rio coffee	143,000
330 pounds Java coffee.	
1,400 pounds crushed sugar.	
2,970 gallons vinegar	297,000
800 pounds sperm candles	80,000
13,333 pounds soap	333,325
84 gallons of molasses.	
134 bushels dried peaches.	
68,832 ration dessicated vegetables.	
705 pounds tea	52,875
7,781 pounds hard bread	7,781

H. F. CLARKE,
Capt. and C. S. U. S. A.

Made from bills of lading, October 10, 1857.

(*House Executive Documents*, 35th Congress, 1st Session, No. 71, p. 63).

18. The letter at length is published in *Echo Canon War*, *Contributor*, vol. iv, p. 48. The closing sentence of the letter says—"If we could learn of a surety that they [the enemy] proposed making winter quarters at Fort Hall, we would cease molesting them." (*Ibid*).

dent occurred in Major Smith's command. The accidental discharge of an old United States Yaeger musket passed a heavy ball through Orson P. Arnold's thigh, breaking the bone in a frightful manner. The accident entailed upon the sympathetic command the task of carrying their wounded comrade a distance of thirty miles on foot, in an improvised litter of poles and blankets.

The incident and its connections illustrates the character of this command of mountain men and their leader. The command was in imminent danger of being attacked while engaged in their last train-burning adventure, as troops, some of whom were mounted, were not far distant. When young Arnold fell with his wounded leg under him the jagged points of the broken bones struck through the flesh of the terrible wound, and it would seem that he would bleed to death in a few minutes. "We laid our hands upon him," says Major Lot Smith, "according to the order of the church, and asked our Father to preserve him for we knew that we could not." The first words young Arnold spoke were—"I shall always be a cripple, and will never be able to fight soldiers again." He was carried to Green river where he was left in the care of mountaineers until a wagon could be sent for him to take him to Salt Lake City. While the litter was being constructed—the poles had to be obtained from a distance—and the bone was being rudely set, the picket guard came running to camp with the word that two hundred cavalry men were close upon the command. Consternation followed. One man moved that the command surrender. "I will say when to do that," sternly said Major Smith. Another proposed that they "run"—"I will kill the man that made that motion myself if he dare try it." Then Major Smith made his first "war speech." He reminded his men that they were not there of their own choice or on their own business. "Our people and their rights are being assailed," he said. It is the Lord's work that we are engaged in; and we are called by

him to protect our homes and our religion. If he suffers those troops to come near us, we will trust in him and whip them, no matter about their number." This restored the morale of the command. No troops appeared. Young Arnold was always lame after this accident, but he led an active and useful business life until the spring of 1913, when he died.

At Green river another report was brought in that troops were close at hand and Major Smith sent out scouts to locate them definitely; himself the meanwhile climbing a tree for a better outlook over the river bottom. Very soon a scout ran back to the grove where the command was resting, to report that two soldiers were chasing two of the command. Acting instinctively Major Smith dropped from the tree and seizing a gun started in the direction of the "chase" and the "flight," the whole command at his heels. Then suddenly the major stopped short. "Did you say that *two* of our men were being chased by *two* soldiers," he inquired of the scout who brought the report. "Yes," said the scout. "Then I hope they will catch them; for I don't want any two men that any other two can chase." And with that all returned to the grove. It happened that the two men being "chased" were meeting two friends from Captain Haight's command, which shortly afterwards joined Smith's.¹⁹

No more wagon trains came in Major Smith's way²⁰ and he had to content himself thereafter with raids upon cattle herds of the "Utah Expedition" in which he was as eminently successful as in destroying trains; nearly 1,000 head of cattle being sent into Salt Lake valley from his successive raids.

19. See Lot Smith's Narrative, *Contributor*, vol. iv, pp. 27-29.

20. Governor Young expressed himself as being of the opinion that it was just as well that no more trains were destroyed, else the saints might have been under the embarrassing responsibility of sending supplies to the troops in their winter quarters "to keep them from starving." (Echo Canon War, *Contributor*, vol. iv, p. 48). The trains destroyed as may be seen from their bills of lading (note 17) were chiefly provision trains; while three other trains immediately following were laden with the tents and all the clothing, though of poor assortment for the rigors of a mountain winter. (See *Quartermaster Dickenson's Report*, dated Camp Scott, Nov. 29, 1857; also Bancroft's *History of Utah*, pp. 521-2).

THE MEETING OF A CAPTAIN AND MAJOR—A GRIM INTERVIEW

On one occasion Major Smith came nearly being captured by Captain Marcy, who was sent out to take him. Having his command increased to nearly one hundred men the major was not disposed to avoid encounter with United States troops; and this led him to follow the trail of Captain Marcy's command, when he found it leading away from the "Expedition's" main line of march. The major's intention was to run off the mules on which Marcy's men were mounted. With part of his men he had followed Marcy's troops through a pre-daylight march, and suddenly came close upon them in the very early morning. "When they saw us right at their heels," says Smith's narrative, "there was some lively scampering for a few moments." The two commands were but forty rods apart when Captain Marcy had drawn up his men in line. Major Smith rode forward alone and was met by the captain within twenty paces of the latter's line. Captain Marcy introduced himself, at the same time saying he supposed he was addressing "Captain Smith." The answer was an affirmative. He then said that the forces he commanded were United States troops and asked Major Smith what armed force it was he commanded. "We are from Utah," was the answer. "What is your business out here?" inquired Marcy. "Watching you," was the prompt reply. "What is your business?" asked the Utah leader. Marcy rather evasively said he was looking out a way into Utah. "Nonsense," said Major Smith, "you have left the main road to the valley long ago. It passes through Echo canon. I have been that way myself many a time." This was sneeringly said, at which, however, Captain Marcy only smiled.²¹

21. "It was the only expression except the utmost coolness and civility I got out of him that morning," said Major Smith years later, when narrating his experiences, "and I afterwards regretted the rough manner I assumed towards him, for he remained perfectly calm, and was very gentlemanly during the whole of our interview." (Major Lot Smith's Narrative, Echo Canon War, *Contributor*, vol. iv, p. 168).



A SCENE IN ECHO CANON
Early gateway from the east into Utah.

Captain Marcy, near the close of the interview, expressed regret for the existing Utah difficulties, and said that the officers of the "Expedition" did not want to come to blows with the people of Utah. "I told him," says Major Smith, "that the administration seemed to want them to, and that their coming here put us in the position of a man holding off the hand that clutched a knife with which to cut his throat. We had a good hold on that arm raised against us, and would keep it." The captain mentioned letters of introduction he held to gentlemen in Salt Lake City, one among others to Elder John Taylor recently of New York. The major banteringly suggested that he *send* them in, as the captain would not be able to go in himself that winter. Marcy still having the advantage of good temper over the major, politely asked the latter if he would not take them in for him; to which Major Smith could only say that the probabilities were that he himself would not likely go to Salt Lake either that winter. Observing that time was passing Major Smith broke off the conversation and rode obliquely towards the line of Marcy's men, the captain followed. Smith's men, at a signal from him skirted around to the right, and together, leader and men rode off to find the other part of their company left in charge of their packs. While getting into marching order they were nearly surrounded by Marcy's force and only escaped by making a bold dash through Ham's Fork, near which the other part of the command had halted. Just as they were all safely out of the river, Marcy's cavalry came dashing up and commanded them to halt. Smith's command shouted back their compliments, "more expressive than elegant," writes Major Smith, "as we leisurely rode up the hill." From the hillside among out-jutting rocks overlooking the stream and its valley, Smith's command watched their enemies on the other side of the river.

UNDER FIRE—ONLY SHOTS OF "THE WAR"

Meanwhile from another direction, a troop of horsemen

rode in upon them and got within short range, just as the Utah men discovered their presence. Dismounting, the troops fired about forty shots among Smith's command. The haste was evidently so great and the range so short, however, that the shots for the most part hurtled harmlessly over their heads, the only effect of the fusillade being the hitting of two horses, one of which, a gray, fell near Major Smith. For a moment the troops must have thought they had brought him down, as they raised an exultant shout when the horse fell.

Smith's command retired safely, a dozen picked men lingering in the rear of the main company, with Major Smith to engage the troops who had fired upon them if they left the hillside to follow up their attack. The attacking party did not come down, however, and the small rear guard of Smith's command soon followed their comrades towards the charred ruins of what had been Fort Supply.²²

These details are worthy of a place in the body of this *History* as they tell of the only shots fired in the "Utah War."

COLONEL ALEXANDER'S PERPLEXITIES

Meantime matters grew more perplexing for the division of the "Utah Expedition" on Ham's Fork. Colonel Alexander was in a most embarrassing situation. Without definite instructions from the war department as to the purpose of the "Expedition;" without communication with Colonel Johnston, the officer in command; much of the range destroyed by the grass being burned; the presence of a seemingly ubiquitous and evasive foe, of whose numbers and effective strength he could form no definite judgment;²³ with the rigors

22. Major Lot Smith's Narrative, *Echo Canon War, Contributor*, vol. iv, pp. 167-9; and 224.

23. It was part of the policy of the campaign on the part of the 'Mormons' to keep the United States officers and troops mystified as to the numerical strength and effectiveness of their forces. When Major Taylor was examined before Colonel Alexander, shortly after he was captured, answering the question "what is the strength of the Mormon troops?" he answered: "from 20,000 to 25,000 warriors." "At this broad statement," says the major's narrative, "he [Alexander] stood aghast." (*Journal of Major Joseph Taylor in History of Brigham Young, Ms.*, pp. 611, 612). Adjutant Stowell, examined separately, answered to the same effect as to numbers—from 25,000 to 30,000, "with quite an amount of artillery." (*Ibid.*, p. 679).

of a mountain winter already threatening him and no suitable winter quarters in view—all these things combined created a very great embarrassment for the colonel.

In the midst of these perplexities a council of officers was called and three places for winter quarters discussed; the east side of Wind river mountains to the northeast; Henry's Fork of Green river, and Brown's Hole; the vicinity of Fort Hall, on Beaver Head mountain, one hundred and forty miles distant from Fort Bridger. This last place was the one decided upon for winter quarters and the movement up Ham's Fork in that direction began on the 11th of October.²⁴ The movement was necessarily very slow, the draught animals being so weakened that three miles a day marked the utmost capacity of forward movement, and the vanguard of the train would be seen going into camp before the rear guard had left its camp of the previous day. A week's effort brought them but a short distance on the way towards Fort Hall. Snow-storms had begun, and while at first not heavy in the open plains, the mountain passes and canons were being filled and rendered more difficult of passage.

Under these circumstances a second council of officers was held that was not altogether harmonious. Some were in favor of attempting to make forced marches into Salt Lake valley, at all hazards; but it was finally determined to return down Ham's Fork to the point of its juncture with Black's

24. What Colonel Alexander hoped to achieve by this detour is set forth in the following passage in his report to Colonel S. Cooper, Adjutant General, U. S. A.:

"After much deliberation, and assisted by the counsel of the senior officer, I have determined to move the troops by the following route; Up Ham's Fork about 18 miles to a road called Sublette's cut-off; along that road to Bear river, and Soda Springs. On arriving at Soda Springs two routes will be open, one down Bear river valley towards Salt Lake, and one to the northeast towards the Wind river mountains, where good valleys for wintering the troops and stock can be found. The adoption of one of these will be decided by the following circumstances: If the force under my command is sufficient to overcome the resistance which I expect to meet at Soda Springs, I shall endeavor to force my way into the valley of Bear river and occupy some of the Mormon villages, because I am under the impression that the Mormons, after a defeat, will be willing to treat and bring provisions for sale. The supplies on hand will last six months, and if I can get possession of a town in Bear river valley, I can easily fortify and hold it all the winter." (*House Executive Documents*, 35th Congress, 1st Session, x, No. 71, p. 31).

Fork. Just as this decision was reached word was received from the commanding officer, Colonel Johnston, who had arrived at South Pass. He ordered Colonel Alexander to make his way to Fontenelle Creek, a tributary of Green river, and thirty miles directly north of the point Alexander had reached on Ham's Fork, where it was reported that pasturage was abundant. Before a start could be made for the new location, however, a second order from Johnston directed that Alexander make a return march down Ham's Fork to three miles below the juncture of that stream with Black's Fork and there the commanding officer would join him.²⁵

The return march was slower, and more disastrous for Colonel Alexander's division of the "Expedition" than the movement up the stream had been, since the snowstorms were more frequent, the cold more intense, the progress slower, and attended with greater mortality to his draught animals.

THE ADVENT OF "KING WINTER" FAVORS THE UTAH FORCES

With the advent of the early winter snows great relief was felt among the Utah forces. If the "stars in their courses" did not fight against Sisera (the "Expedition") the snowstorms of the mountains did, and hampered and perplexed its movements. Several Utah commands were released from the camps in the mountains and permitted to go to Salt Lake valley to recruit and obtain fresh supplies of food and clothing, but to remain in locations from which they could be called at an hour's notice to take the field if occasion arose. General Wells himself and the greater part of his staff, together with his counselors, Elders John Taylor and George A. Smith, returned to Salt Lake City, leaving the camps in Echo canon and the squads of men watching and reporting the movement of the troops on Ham's Fork, under the direction of Major General George D. Grant and Colonel R. T. Burton.²⁶

25. For Colonel Johnston's first order see *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, pp. 38-40; and for the 2nd order, *Ibid*, p. 46.

26. *History of Brigham Young, Ms.*, Oct., 1857, p. 742.

STRENGTH IN THE THINGS NOT KNOWN

As may be supposed on the arrival of General Wells and his counselors in Salt Lake City very interesting and frequent consultations were had in which the present "war" situation was thoroughly considered. President Young appreciated the advantages that arose from the fact that he had received no official notice that he was superceded as governor of Utah by the appointment of his successor; and had no official notification of the coming of the United States troops. "I mean to send word to the United States," he said in one of the above named consultations, "that if they have sent troops here, the cattle which we have taken I will give them credit for upon compound interest. But I do not *know* that they have sent any; they have not notified me, officially, anything about it, and I have no right to know anything about it, but shall treat them as a mob."²⁷

At a subsequent meeting with the twelve, Governor Young voiced this intention: "If they take away our charters from us and divide up our territory, [both plans had been suggested by United States senators, it should be remembered], it will be unconstitutional, as everything is they do against us. I told Brother Bernhisel that if they took away our charters to come immediately home and we would organize our state government and fall back upon our original boundaries. Our east boundary should be Fort Laramie, the west the summit of the Sierra Nevada, and run to the Pacific coast, and we would defend it." In this Elder John Taylor concurred.²⁸ Some one suggested that a young officer with Alexander's command had said that "the United States would send an army of 20,000 men, and would wipe the Mormons out another year." To which Governor Young replied by saying that great numbers might be a hindrance to such an attempt. "It would take more than twenty miles for their army and trains to move at all, and the more there is of

27. *History of Brigham Young, Ms.*, entry 25th Oct., 1857, p. 743.

28. *Ibid.*, p. 744.

them, the worse off they will be."²⁹ Discussing the matter of the present United States force going into winter quarters and receiving reinforcements in the spring, Governor Young announced a determination to deal with Alexander's force before the arrival of reinforcements, and felt assured that by reason of the hard winter, desertions and sickness, the force would be much depleted.³⁰

VIEWS OF SENATOR SAM HOUSTON ON WAR WITH UTAH

Similar views to these were expressed upon the floor of the United States senate by General Sam Houston of Texas. As will be remembered Senator Houston was a hero frontiersman, and the founder of Texas.

"The more men you send to the 'Mormon War' the more you increase the difficulty. They have to be fed. For some sixteen hundred miles you have to transport provisions. The regiments sent there have found Fort Bridger and other places, as they approached them, heaps of ashes. They will find Salt Lake, if they ever reach it, a heap of ashes. They will find that they will have to fight against Russia and the Russians. Whoever goes there will meet the fate of Napoleon's army when he went to Moscow. Just as sure as we are now standing in the senate, these people, if they fight at all, will fight desperately. They are defending their homes. They are fighting to prevent the execution of threats that have been made, which touch their hearths and their families; and depend upon it they will fight until every man perishes before he surrenders. That is not all. If they do not choose to go into conflict immediately, they will secure their women and children in the fastnesses of the mountains; they have provisions for two years; and they will carry on a guerrilla warfare which will be most terrible to the troops you send there. They will get no supplies there. You will have to transport them all from Independence, in Missouri. When the fire will consume it, there will not be a spear of grass left that will not be burnt. * * * I know not what course will be taken on this subject. I hope it will be one of conciliation. As for troops to conquer the Mormons, fifty thousand would be as inefficient as two or three thousand; and in proportion as you send troops in that vast region, without supplies, and without the hope of them, with no means of subsistence after a certain period, unless it is transported to them, the greater will be your danger. Consider the facilities these people have to cut off your supplies. I say your men will never return, but their bones will whiten the valley of Salt Lake. If war begins, the very moment one single drop of blood is drawn, it will be the signal of extermination. Mr. President, in my

29. *Ibid.*, p. 745.

30. *History of Brigham Young, Ms.*, entry 26th Oct., 1857, pp. 746-7.

opinion, whether we are to have a war with the Mormons or not, will depend on the fact whether our troops advance or not. If they do not advance; if negotiations be opened; if we understand what the Mormons are really willing to do; that they are ready to acquiesce in the mandates of the government, and render obedience to the Constitution; if you will take time to ascertain that, and not repudiate all idea of peace, we may have peace. But so sure as the troops advance, so sure they will be annihilated. You may treble them, and you will only add to the catastrophe, not diminish human suffering. These people expect nothing but extermination or abuse more intolerable than even extermination would be, from your troops, and they will oppose them."³¹

ARRIVAL OF COLONEL JOHNSTON LEARNED—"THEY SHALL NOT PASS"

On the 28th of October word was received in Salt Lake City of the arrival of Colonel Johnston, with the rest of the "Expedition's" forces and supply trains, in the vicinity of Ham's Fork. Whereupon General Wells and staff were directed to return to Echo canon to resume command of the territorial forces. Governor Young was not at all daunted at the arrival of the somewhat noted commander-in-chief of the "Utah Expedition," but asserted his determination to maintain the right of local self-government in vigorous terms.

"If any officers come to the army, the governor or judges, just inform them that they are as near as they can come. Had they have come without a military array, they could have come and not been molested; but now they cannot come. We will not have any cursed scoundrels forced upon us to judge or rule over us, and they shall not come among us. If Johnston comes with troops and intends to come in I expect they will leave their baggage, battery, and a company to guard them and come in on a forced march. Then we must not let them sleep, but use them up as soon as we can—work night and day, and not let them sleep. Brother Wells thinks that they are determined to try to come in. *You will find that when the Lord sees that we are willing to fight and get ready to shoot, he will fight our battles.*"³²

31. *Congressional Globe*, 35th Congress, 1st Session, 25th Feb., 1858, p. 874.

32. *History of Brigham Young, Ms.*, entry for 28th of Oct., 1857, p. 750. Wilford Woodruff almost in daily contact with Governor Young, and in frequent council meetings with him, said when writing his "reflections" in his *Journal* on the progress of the "war" to this point—"President [Governor] Young had been as calm and serene as a summer's morning, and all the time has said victory would be ours, and that blood would not be shed; and he has diffused this spirit through all the church and kingdom of God established in these mountains; and all the armies of Zion have gone out to war as calm and composed as though they were going to the field of their daily labor." (*Woodruff's Journal, Ms.*, entry for 2nd Dec., 1857).

The next day, October 29th, General Wells accompanied by members of his staff and by General Charles C. Rich,³³ in place of George A. Smith—John Taylor following a few days later—returned to Echo canon.

REPORTS OF THE OUTPOSTS

From the companies of Utah militia left to watch the movements of the troops, General Wells was informed of the movements of the two divisions of the "Utah Expedition," Colonel Alexander's returning down Ham's Fork, and Colonel Johnston's coming from South Pass and their juncture on Black's Fork. This on the 3rd of November.

THE MORALE OF THE "EXPEDITION" HEARTENED BY JOHNSTON'S ARRIVAL

Naturally the arrival of Colonel Johnston, commanding the "Expedition," infused new life and hope into the badly demoralized "Utah Army," worn out with its march first up and then down Ham's Fork. The colonel commanding had come with more supply trains and cavalry companies—with more at hand. This, it was thought, would put an end to further "Mormon" raids upon their herds, and their supply trains. There can be no question but what the coming of Johnston emphasized the seriousness of the whole situation for the people of Utah—the saints; and increased the likelihood of an armed conflict. Indeed how could it be avoided if the attempt was made by forced marches to reach Salt Lake valley? That General Wells felt keenly the situation is evident by his reports to Governor Young. By express which arrived in Salt Lake City on the evening of the 8th of November, he demanded "help, as Colonel Johnston seemed likely to want to push in." "Letters were written to several Mormon officers to muster men to send out, by order of

33. In making the appointment of Charles C. Rich, Governor Young said: "George A. Smith may stop in the city this time, and let Chas. C. Rich go; he is a good general and a wise man; I [shall] rely a great deal upon him in future." (*History of Brigham Young, Ms.*, entry for Oct. 28, 1857, p. 750).

Governor Young, who remained up, attending to sign his name till two o'clock in the morning."³⁴ Besides the number already at the front thirteen hundred more were ordered into the mountains, and many were on the way two days after the appeal of General Wells had been received.³⁵

On the 11th of November an express arrived by Dr. G. W. Hickman and Elijah Ward; the former had been held a prisoner by Captain Marcy for some time. This express brought the word that "the enemy had concluded to come into Salt Lake City in twelve days on pack animals."³⁶ Report was also received that Dr. Garland Hurt, sub-Indian agent who had left Springville late in September for the east in company with between 200 and 300 Utah valley Indians had arrived at the headquarters of the "Utah Expedition," and Governor Young wrote Aaron Johnson of Springville, who was well acquainted with the mountain passes immediately east of Utah valley, what chance there was for United States troops coming to Provo *via* Kamas Prairie,³⁷ the route tra-

34. *History of Brigham Young, Ms.*, entry 8th Nov., pp. 776-7.

35. *Ibid.*, p. 780. "Colonel Philemon C. Merrill, commanding the Davis county militia troops, passed the governor's office for the mountains with 242 men, 56 mounted; 17 officers of the line and 4 of the colonel's staff. They had 23 baggage wagons. After stopping a short time in front of the governor's office, they continued their march towards the mountains of snow, as near 2,000 of their brethren had done before, to meet the enemy. Many went with wet feet, poor shoes and straw hats on, without tents or fire at night, as they could not reach timber until next day. Yet it shows the willingness the saints have to maintain the kingdom of God, and defend themselves against their enemies. It was a very cold night." (*Ibid.*, p. 780). Previous to this *viz.*, on the 14th of October, Colonel A. P. Rockwood, commissary general of General Wells' staff, reported to Governor Young that at that time there were 1,100 men in the mountains; 700 more camped on the public square, Salt Lake City, (these chiefly from Utah and Tooele counties, see *History of Brigham Young, Ms.*, Oct. 12, 1857, p. 667); that 1,500 more men could be raised in Salt Lake City, and that in 15 hours he could place 3,000 in Echo canon. (*History of Brigham Young, Ms.*, entry for Oct. 14th, 1857, pp. 670-1).

36. *Ibid.*, p. 782.

37. *Ibid.*, p. 783. Dr. Hurt had left the territory with some government property, contrary to the instructions of Governor Young, who, when he learned that it was the intention of the subagent, to leave the territory by an unusual route and with a band of Indians for an escort, proposed to send him in a carriage and with a suitable escort as became an officer of the United States. (See Young's Letter to Garland, *History of Brigham Young, Ms.*, entry for Sept. 26, 1857, pp. 564-5). This offer being ignored and the subagent leaving in the sensational manner described, the governor discharged him from service, and appointed Geo. W. Armstrong in his place. (*House Executive Documents*, 35th Congress, 1st Session, x, No. 71, p. 210).

versed by Dr. Hurt. About this time an express was sent in from General Wells urging "the necessity of all the saints praying for one thing, and not being divided in their wishes and desires to God. We are all to pray that the soldiers might return, and that we might not have to shed their blood."³⁸

TROUBLES OF THE "EXPEDITION": MULTIPLYING

Meantime things were equally serious with the "Utah Expedition." Concentration of its several divisions had been effected on Black's Fork, three miles below the mouth of Ham's Fork. From the time he had reached South Pass, on the 18th of October, Colonel Johnston had despaired of reaching Salt Lake valley that fall, even "though not opposed by the Mormons."³⁹ On the fifth of November, he reported his juncture with the forces of Colonel Alexander, and announced his intention "to march upon Fort Bridger and dislodge any force" he might find there, and await the arrival of Colonel Cooke, "when," he remarks, "as the approach of winter is too near to attempt the passage of the Wasatch range of mountains with a probability of success, I will seize upon the district mentioned in my letter from South Pass, [i. e., Henry's Fork of Green river] occupying it until an advance is practicable."⁴⁰

The march from Black's Fork to Bridger was a chapter of disaster for the "Utah Expedition." Sentences from Colonel Johnston's report, given in the studied brevity of military records will be sufficiently vivid for all purposes. The distance of the march was but thirty-five miles; yet "fifteen

38. *History of Brigham Young, Ms.*, entry for Nov. 15th, p. 783.

39. "I greatly regret," was the language of his report of that date to Major Irvin McDowell, General Scott's assistant adjutant general, "that the impossibility of concentrating the troops destined for this service and their supplies will prevent a forward movement before spring. It is now manifest that before the force can be united the autumn will be too far advanced to move with a probability of success, though not opposed by the Mormons." (*House Executive Documents*, 35th Congress, 1st Session, x, No. 71, p. 37).

40. *Ibid.*, pp. 46, 47.

days were consumed in this tedious operation."⁴¹ Then he adds:

COLONEL JOHNSTON'S REPORT

"The loss of battery horses, draught mules and oxen of the contractors has been very great, in consequence of snowstorms which were encountered on the route and intense cold. Our marches each were necessarily short on account of the extreme coldness and inclemency of the weather, and because of the great number of miles on the road occupied by the supply trains and others, and the failing condition of the draught animals starving from cold and hunger. * * * Shelter for our thousands of animals seemed indispensable for the preservation of life, yet a more rapid advance to attain it would, we believe, be attended with immense loss. The snowstorms raged with short intermissions after they commenced for several days,⁴² during which time it was exceedingly cold. The thermometer ranged from ten degrees above to sixteen degrees below zero. If shelter could have been found, a halt till the storm subsided would have been ordered; but there was none. The country between this and the South Pass, with the exception of narrow valleys of water courses, is a great desert, affording no shelter by its conformation or by its woods, or even bushes from the furious blasts in these high regions; and no fuel, except the wild sage or willow bushes. There was no alternative but to press forward perseveringly, though slowly making our route by the frozen horses, mules and oxen. A sufficient number of oxen, though poor, have been saved to supply the meat part of rations six days in the week, and we have on hand bacon for one day in the week for seven months, and also flour and small rations. * * * If a further advance of the army were otherwise practicable and proper at this season of the year, the necessity of appropriating the remainder of the work oxen for food for the troops would now prevent."⁴³

41. Major Lot Smith, whose command was still in the vicinity of Fort Bridger watching the movements of the "Expedition," mistaking the activity among the troops in moving from their position on Black's Fork towards Fort Bridger as an effort to march into Salt Lake valley says: "When General Johnston turned towards Salt Lake, after going up Ham's Fork, one would have thought that he would go right through in a few days, but when he finally started, he made seventeen miles in one day, and it took two weeks to fetch up the rear; then the general began to see how far off Salt Lake really was." (Lot Smith's Narrative, *The Echo Canon War, Contributor*, vol. iv, p. 225).

42. Commenting on the beginning of this snowstorm Major Lot Smith says: "The snow fell and covered the ground to a great depth, but it was not so deep as our chaplain prayed for. *He asked for twenty feet.* One of our men, a little fearful that his prayer would be answered, wanted to know what would become of him and the rest of us. The chaplain's prayer was the echo of thousands of others offered at the throne of grace by a people whose homes were threatened, and who looked to God alone for deliverance and safety." (Lot Smith's Narrative, *The Echo Canon War, The Contributor*, vol. iv, p. 225).

43. Johnston's Report to Major I. McDowell, Nov. 30, 1857, *House Executive Documents*, x, No. 71, pp. 77-79.

COLONEL COOKE'S REPORT OF A HARD MARCH—A DESOLATE COUNTRY

Colonel Johnston in the above document also reports the arrival of Colonel P. St. George Cooke, lieutenant colonel with his command of six companies of the 2nd dragoons, and the necessary supply trains; also with the civil officers appointed for the territory, and their escort. They arrived at Johnston's encampment, Camp Scott, near Fort Bridger, on the 19th of November. Cooke's march, in the latter stages, had been as disastrous as that of the other divisions of the "Expedition;" in the loss of animals by freezing and starvation, and the suffering of the command, up to the attaining of South Pass, greater. "I have one hundred and forty-four horses," says his report to Colonel Johnston, "and have lost one hundred and thirty-four [though special care had been used to preserve the horses as compared with attention given to mules]." "Most of the loss has occurred much this side of South Pass, in comparatively moderate weather. It has been of starvation; the earth has a no more lifeless, treeless, grassless desert; it contains scarcely a wolf to glut itself on the hundreds of dead and frozen animals which for thirty miles block the road; *with abandoned and shattered property, they mark, perhaps, beyond example in history, the steps of an advancing army with the horrors of a disastrous retreat.*"⁴⁴

In the midst of this region, utilizing the charred remains of Fort Bridger for the shelter of the more perishable part of its provisions, and sending the remnant of herds of cattle, mules and horses to Henry's Fork of Green river, guarded by companies of dragoons under Colonel Cooke, the "Expedition" settled down at Camp Scott, on Black's Fork, near Bridger, for the winter.

44. Colonel Cooke's Report to Colonel Johnston, *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, pp. 92-99. The report is a most graphic description of a trying but skillfully conducted march, of which the quotation of the text is the closing paragraph.

On their part, as soon as it was evident that the "Expedition" was safe-locked in deep snows for the winter, the "Mormon" leaders withdrew their forces from the mountain passes and canon encampments to the settlements and homes in Salt Lake valley, where in comfort, and, indeed, amid much innocent merry-making, they passed an agreeable winter.

The winter of 1857-8 was often spoken of as one of "the gayest winters ever known in Utah." W. G. Mills, writing from Salt Lake City to T. B. H. Stenhouse, N. Y., under date of April 5th, 1858, describes the "gayety" of the winter as follows: "Peace is enjoyed throughout this territory by the citizens, from north to south, and every heart beats with the love of liberty—religious, political, and social. During the winter, festivities were very prevalent, and entertainments of various kinds were enjoyed. Dramatic and literary associations were attended to overflowing, balls and parties were frequent and numerously filled, and every species of amusement suitable for an enlightened and refined people was a source of profit to the caterer, and pleasure and benefit to the patronizers. Indeed, had you seen the manner in which they enjoyed themselves, you would never have surmised for one moment that within a few miles of us there was an army—who were only waiting to kill, corrupt, and debase an innocent and virtuous community. No cases of drunkenness appeared on the streets; no lists for assault and battery on the courts of the city; no trials for larceny, petit or grand; no marks, in those respects, of the civilized manners of the world; no midnight brawlers and assassins."

This condition he contrasts with the conditions reported at Camp Scott: "The contrast is great, when this place is put in juxtaposition with the army outside. Courts were held there for weeks together; thefts, assault and battery, and wickedness of various kinds, were the order of the day. Ben Simons, an Indian chief, visited the camp on one occasion, after he sold them salt at \$2.50 per pound; and, while

sleeping in the superintendent of Indian affairs' tent, the sum of \$300 was stolen from him. Gambling is carried on with a high hand amongst them and the concomitant crimes, although all such are strictly forbidden in the territory."⁴⁵

THE "EXPEDITION" WATCHED BY A GUARD OF FIFTY—SNOW-BOUND

Of all the Utah forces that had been in the mountains, only a guard of fifty men was kept at Camp Weber, at the mouth of Echo canon. These were under command of Captain John R. Winder, with instructions to keep a relay of ten mounted men on Yellow Creek, above the head of Echo canon, relieved weekly.⁴⁶ The relay was occasionally to trail out towards Fort Bridger, "and look at our enemies from the high butte near that place."⁴⁷ The guard stationed at Camp Weber was instructed to keep strict surveillance at this east gateway to Salt Lake valley. If teamsters or deserters presented themselves they were to be passed on to Salt Lake City, leaving a record of who and what they were. "If officers or others undertake to come in," said their instruction, "keep them prisoners until further orders are received." "Especially, and in no case," were they to "let any of the would-be civil officers pass. If your lookout party discover any movement of the enemy in this direction [i. e., Salt Lake City] * * * take all such parties prisoners, if you can, without shooting; but if you cannot, you are at liberty to attack them, as no such party must be permitted to come into this city."

45. *Millennial Star*, vol. xx, pp. 459-462, where Mills' letter appears at length. The author of *The Utah Expedition* in the *Atlantic Monthly* for March, 1859, also describes the lawlessness of the camp, p. 374. See also *ante* this *History*, ch. cvi, *et passim*.

46. See Instructions of General Wells to Captain John R. Winder, Dec. 4th, 1857. The order *in extenso* will be found in Tullidge's *History of Salt Lake City*, pp. 197-8.

47. "Southwest of the fort, at the distance of four or five miles, a singular butte, the top of which is as level as the floor of a ballroom, rises to the height of eight hundred feet above the valley of Black's Fork, and commands a view of the entire broad plateau between the Wind river and the Uintah and Wasatch ranges. (*Atlantic Monthly*, April, 1859). This was the point from which the "Expedition's" encampment was watched. It was this situation which the *London Punch* afterward so graphically pictured in cartoon, where the "flower of the American army" half buried in the snow is seen herded by ten "Mormons."

There was no attempt on the part of the "Expedition" or any division of it to enter Salt Lake valley during the winter. When the "Expedition" went into winter quarters at Camp Scott in the latter days of November, the campaign of the "Utah War" closed. It ended without the Utah forces firing a single gun. *Had not the Lord fought his people's battle?*

All that remains to be said about the "war," has to do with negotiations to straighten out the difficulties that had been brought about by stupendous blundering.

CHAPTER CVIII

CHURCH LEADERS' COURTESIES EXTENDED TO THE OFFICERS OF THE "UTAH EXPEDITION"—IRONY OF EVENTS— RIVAL GOVERNMENTS

DURING the campaign of the "Utah War" acts of courtesy on the part of Governor Young and the commanders of the Utah forces towards the United States officers and troops were not lacking to bear witness that the prospective "war" would be civilized warfare, if it came to acts of further hostilities. This was manifested first in the action of the Utah militia officers—Captain Stringham and Colonel N. V. Jones—consenting to escort to Salt Lake City, Captain Van Vliet, on the occasion of his mission there, and assuring him of safe conduct; and by the offer of Governor Young to give easy and safe conduct to Indian Agent Hurt to the United States troop encampment on Ham's Fork.¹

MUTUAL COURTESIES EXTENDED AND SOLICITED

Early in October Governor Young politely sent to Colonel Alexander copies of the *Deseret News*, "to enliven the monotonous routine of camp life;" and this was repeated several times during the fall and winter months.²

1. See letter of Brigham Young to Hurt, *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, pp. 209-10; also *History of Brigham Young, Ms.*, entry Sept. 26, 1857, pp. 565-6.

2. Journal of Geo. A. Smith, entry Oct. 17th, copied into *History of Brigham Young, Ms.*, 1857, p. 732, *et passim*. The letters accompanying these acts of courtesy were very formal and polite in tone. One exchange is given as samples of the spirit of all:

GOVERNOR YOUNG TO COLONEL ALEXANDER

"Great Salt Lake City,
October 7, 1857.

Sir: Presuming that during a dearth of news from the east and your home, news from the west might enliven the monotonous routine of camp life, I have the honor to forward to you two copies each of the latest numbers of the *Deseret News*.
BRIGHAM YOUNG.

E. B. Alexander,
Colonel Commanding 10th Infantry, United States Army."

GENERAL WELLS TO COLONEL ALEXANDER

"In Camp, Near Bear River,
October 8, 1857.

Sir:—I have the honor to forward you the accompanying letters and papers for

Again, General Wells, on learning from a report that a number of ladies were in Colonel Alexander's camp, wrote him a courteous letter "advising him," says the chronicle, "that if he had ladies in the camp, to put them in a train by themselves, as he did not wish to injure them;" also "He [General Wells] prepared to forward a fatherly letter from Governor Young to the colonel."³

An invitation was extended by Governor Young to Colonel Alexander or "any of the officers with him" to visit the city, "unaccompanied by troops," as did Captain Van Vliet, "with a view to personally learn the condition and feelings of the people." "You are at liberty to do so," said the governor, "under my cheerfully proffered assurance that you will be safely escorted from your outposts to this city and back, and that during your stay in our midst, you will receive all that courtesy and attention your rank demands."⁴

yourself, Colonel Waite and Captain Phelps, sent to my care, by his excellency, Governor Young.

I remain, sir, very respectfully,

[Signed] "DANIEL H. WELLS,"
Lieutenant General, Nauvoo Legion.

Colonel E. B. Alexander."

COLONEL ALEXANDER TO GOVERNOR YOUNG

"Headquarters Army of Utah,
Camp Winfield, October 10, 1857.

Sir:—Colonel Alexander, commanding the United States troops, directs me to acknowledge the receipt by your messengers of packages of papers for himself, Colonel Waite and Captain Phelps.

He appreciates highly the kind attention and politeness shown to him and the officers of the army, and begs that you will accept his thanks.

I am, sir, with high respect, your obedient servant,

HENRY E. MAYNADIER.

His excellency,

BRIGHAM YOUNG,
Governor of Utah."

(*House Executive Documents*, 35th Congress, x, No. 71, pp. 47-8; also *History of Brigham Young, Ms.*, 1857 and 1858, *et passim*).

3. Journal of Geo. A. Smith, entry for Oct. 15th, 1857, in *History of Brigham Young, Ms.*, Oct. 25, p. 729. The "fatherly" letter of Governor Young to Colonel Alexander will be found in *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, pp. 48-50, it bears date of Oct. 16. The governor addresses the colonel frankly as a citizen of the United States "untrammelled by the usages of official dignity or military etiquette."

4. Copy of the letter containing the invitation, dated 16th of Oct., will be found in *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, pp. 50-54. "Doubtless you have supposed," says Governor Young, in the paragraph

In the latter part of October a Mrs. Mago, with an infant child, became very desirous of joining her husband, who was in Colonel Alexander's encampment. He had first come to Utah as a teamster in one of Captain W. H. Hooper's trains, later was employed by the surveyor general of Utah, David H. Burr. A Mr. Jesse Jones who had been in Salt Lake City but a few weeks and being anxious to see a Mr. Roup in Colonel Alexander's encampment, was permitted to accompany Mrs. Mago and her infant. An escort of four men conveyed the party to the United States encampment. "Mrs. Mago and her infant are conveyed to your camp," said Governor Young's letter—dated 28th of October—"in accordance with my previously often expressed readiness to forward to you, such as might wish to go, and is the only resident of that description in Utah, as far as I am informed." Governor Young also renewed his invitation of the 16th of October to Colonel Alexander: "Should Colonel Convy and lady wish to partake of the hospitalities proffered by Mr. Haywood and family (residents of Salt Lake City), and should Captain R. B. Marcy desire to favor me with a visit, as I infer from his letter of introduction forwarded and in my possession, or should you or any other officers in your command wish to indulge in a trip to this city, you will be kindly welcomed and hospitably entertained, and the vehicle and escort now sent to your camp (with Mrs. Mago and Mr. Jones), are tendered for conveyance of such as may receive your permission to avail themselves of this cordial invitation." The governor also "presumed" that in case of their being any persons in the United States camp who desired to leave the camp for Salt Lake City, the colonel would permit them to do so.⁵

containing the invitation referred to in the text, "that many of the people here would flee to you for protection upon your arrival, and if there are any such persons they shall at once be conveyed to your camp in perfect safety, so soon as such fact can be known." (*Ibid*).

5. The letter *in extenso* will be found in *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, pp. 54-55.



DESERT STORE AND GENERAL TITHING
STOREHOUSE

A typical building of the period and center of church and Salt Lake City activities—gathering of troops—arrival and departure of ox trains and handcart companies, etc., etc.

Colonel Alexander acknowledged these courtesies of the governor in a very polite note in which he stated, with regret, that the persons in his custody were amenable for civil offenses to the civil authorities, and it was not in his power to release them; but as soon as Governor Cumming should arrive his direction concerning them would be obtained; meantime the colonel gave assurance that every attention would "be paid to their welfare and comfort."⁶

A GIFT OF SALT FOR THE "ARMY"

About one month later, hearing that the "Expedition" and the men belonging to the merchant trains detained by its officers were much in need of salt, Governor Young took the "liberty" of sending a load [eight hundred pounds] by Messrs. Henry Woodward and Jesse J. Earl. "You are perfectly welcome to the salt now sent," said Governor Young's letter accompanying the gift, "but should you prefer making any compensation therefor, I have to request that you inform me, under sealed envelope, of weight received, and the amount and kind of compensation returned."⁷ This discloses a rather delicate sensibility on the part of Governor Young; for it afforded the commander of the "Expedition" an opportunity, if he did not wish to put himself under obligation to Governor Young for such a prime necessity to his camp, of paying for it such a price as would take away from the transaction any obligation to, or act of grace in, Brigham Young for sending the much needed commodity; and meantime the camp would receive the benefit of the necessary food ingredient. Colonel Johnston, however, who meantime had arrived at the "Expedition's" encampment, chose not to accept the salt, but churlishly rejected it, whether as gift or purchase, in order, it is presumed, that he might not in any sense be under obliga-

6. *Ibid.*, p. 56.

7. The letter accompanying the salt is published at length in *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, pp. 110-11; the letter bears date of Nov. 26th, and is addressed to "Colonel A. S. Johnston, U. S. A., if he has arrived at Black's Fork." If not, then, to Colonel Alexander, Houston.

tion to Brigham Young; and made no other response to this tender of salt or answer to the letter accompanying it, than to dismiss its bearers with their salt, informing them that he could accept "no favors from traitors and rebels and that any communication which they might in future hold with the army must be under a flag of truce."

This statement was limited by the colonel to communication with the army: "As to the manner in which they might communicate with the governor (Cumming) it was not within his province to prescribe."

This humane act of sending salt to the "Expedition" had been attended with great inconvenience, aside from the value of the offering. The salt had been forwarded to General Wells with directions to retain it if he thought it advisable, but preferring that it be forwarded to the "Expedition's" encampment if the condition of the roads would allow it. "With a view of gratifying the wishes of the governor," said General Wells, in his letter accompanying the salt, "I have taken pleasure, although in a furious snow-storm, in fitting up Messrs. Earl and Woodward with packs and additional men and animals in order to insure its safe delivery." For the additional men General Wells asked the same consideration as Governor Young asked, in his accompanying letter for Messrs. Earl and Woodward. Wells' letter is dated Nov. 30th. Closing his letter he said: "I also send you one copy of the *Deseret News*, which though somewhat worn, is the last received by me." Governor Young had also said in his letter: "should any in your command be suspicious that the salt now forwarded contains any deleterious ingredients other than those combined in its natural disposition on the shores of the Great Salt Lake, Mr. Woodward or Mr. Earl, in charge of its transportation and delivery, or doubtless Mr. Livingston, Mr. Gerrish, Mr. Perry, (Gentile merchants with the 'Expedition'), or any other person in your camp that is acquainted with us, will freely partake of

it to dispel any groundless suspicions, or your doctors may be able to test it to your satisfaction." The churlishness of Colonel Johnston in rejecting the tender of salt to the "Expedition" was severely commented upon by General Sam Houston, United States senator from Texas.⁸

The salt, however, so contemptuously rejected by Colonel Johnston found its way into camp; being turned over to some Indians, who smuggled it into the camp of the "Expedition" and sold it at the rate of \$2.50 per pound.⁹ One Ben Simons is reported to have taken 900 pounds of salt into the camp which he sold at that price. And later Colonel Johnston had "a thousand pounds of salt forced through to the camp from Fort Laramie; thirty out of forty-six mules on which it was packed, perishing on the way."¹⁰

A WHITE MULE INCIDENT

In addition to the tender of salt at this juncture, Governor Young in his letter informed Colonel Alexander that a certain small, white mule that had "come into our settlements," and which was a favorite with the colonel, had

8. See The Utah Expedition, *Atlantic Monthly*, March, 1859, p. 374. The letter of General Wells complete will be found in *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, p. 111. See Note 1, end of chapter.

9. Simons is referred to as a Delaware Indian by J. Forney, who succeeded Brigham Young as superintendent of Indian affairs in Utah. "Ben Simons [was] formerly of the Delaware tribe," he says, "but for the last 20 years [has been] a trader among the Indians of this territory. Ben speaks most of the languages of this region, and English sufficiently well to answer for an interpreter." (*House Executive Documents*, 35th Congress, 1st Session, x, No. 71, p. 198). Woodruff speaks of him as a "Cherokee," (*Woodruff's Journal*, Ms., entry 16th Dec., 1857). Simons offered Governor Young one-half the money he made in trading with the "Expedition's" encampment, but this the governor refused. The latter insisted that the Indian should limit his trade to salt and furs. Simons reported at this interview that there had been a fight in Camp Scott, in the section occupied by the civil officers of the territory—between "freemen" and the military party [evidently a fraction of the Kansas trouble transported to Utah] in which seven were killed. Colonel Johnston sent the military to quell the disturbance, and Governor Cumming told them to go back; that when he wanted Johnston's assistance he would call for it. He also reported that one John Bigler, a gambler, had taken \$25,000 out of the camp, profits on gambling, and carried it off in a buckskin sack. The relation of these incidents led Governor Young to say—"if they had the power, they would make this city a perfect bedlam, and would corrupt this people as far as they could." (*Woodruff's Journal*, Ms., *Ibid*; also *History of Brigham Young*, Ms., Dec., 1857, pp. 899-900).

10. The Utah Expedition, *Atlantic Monthly*, March, 1859, p. 374.

arrived in poor condition, but the governor had caused the mule to be placed in his own stables where it had been well fed and cared for and held subject to the colonel's order, "But," continued the governor, not able to resist the opportunity for a thrust of grim humor—"But should you prefer leaving it in my care during the winter, *it will probably be in better plight for you upon your return to the east in the spring.*"¹¹

This salt incident ended the tender of courtesies between the territorial and national forces for some time. In Governor Young's accompanying letter on the salt gift there had been a note of sternness sounded, and a churlish reaction on the part of Johnston, not conducive to polite intercourse.

REASONS GIVEN FOR TRAIN-BURNING

Explaining the reason for the demonstrations against the "Expedition's" stock and their trains Governor Young said:

"I have to inform you that the demonstrations which have been made upon your animals and trains have been made solely with a view to let you emphatically understand that we are in earnest when we assert, freemen like, that we will not tamely submit to any longer having our constitutional and inalienable rights trampled under foot. And, if you are now within our borders by the orders of the president of the United States, (of which I have no official notification), I have further to inform you that, by ordering you here upon pretexts solely founded upon lies, all of which have long since been exploded, the president has no more regard for the Constitution and laws of the United States, and the welfare of her loyal citizens, than he has for the Constitution, laws and subjects of the kingdom of Belzebub."¹²

Respecting Utah people detained by the commander of the "Expedition" who were being well treated the governor expressed his thanks. Concerning Adjutant W. R. Stowell,

11. *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, p. 111. "This mule was an old, gentle creature," says Junius F. Wells in his *Echo Canon War*, "the pride of the colonel's household. * * * The attention bestowed upon it became the subject of diplomatic correspondence between the commandants of the opposing forces; yet notwithstanding the enduring fame thus achieved and the tenderest care of experienced hostlers and veterinary surgeons, the poor prisoner succumbed to age and aggravated grief, at being ruthlessly torn from its associates and friends, and during the winter died, lamented by two armies!" (*Contributor*, vol. iii, p. 179).

12. Governor Young's letter will be found in *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, p. 110.

captured in connection with his principal, Major Joseph Taylor, and still held a prisoner, the governor—it having been reported that Stowell was being mistreated—said: “If you imagine that keeping, mistreating, or killing Mr. Stowell will redound to your credit or advantage, future experience may add to the stock of your better judgment.”¹³

COLONEL JOHNSTON’S ATTITUDE TOWARDS UTAH’S PEOPLE

On his part Colonel Johnston entertained or assumed to entertain, a deep contempt for the “Mormon” leaders and people, whom he regarded, or feigned to regard, as a traitorous people,” of whom he must make “conquest;”¹⁴ a people resisting the “just authority the government desired to exercise in Utah; a people who had with premeditation, placed themselves in rebellion against the Union, and entertain the insane design of establishing a form of government thoroughly despotic, and utterly repugnant to our institutions.” “Occupying as they do,” continues the colonel, “an attitude of rebellion and open defiance to the government, connected with numerous overt acts of treason (see orders and commission herewith, issued by the leaders), I have ordered that when they are met in arms, that they be treated as enemies.”¹⁵

13. *Ibid.*, p. 111.

14. The colonel pays them the compliment of inferring that the “conquest” would not be an easy one: “The general-in-chief [General Scott] no doubt has already considered the necessity of a conquest of those traitorous people, and has estimated the force necessary to accomplish the object. With a full view of the whole subject before him his great experience would not be benefited by any suggestions of mine. I will, however, mention that unless a large force is sent here, from the nature of the whole country, a protracted war on their part is inevitable. The great distance from our source of supply makes it impracticable to operate with a small force. It, in fact, requires the employment of such force to guard numerous trains of supplies, leaving but a small portion, if any, for offensive operations. A movement of troops from California, Oregon, and by this route, would terminate a war with the Mormons speedily and more economically than if attempted by insufficient means.” (Johnston in a communication to Major McDowell, assistant adjutant general, *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, pp. 37-38).

15. These quotations will be found in Colonel Johnston’s letters to Major Irvine McDowell, assistant adjutant general, headquarters of United States Army, under date of Oct. 18th, and the 5th of Nov. respectively, 1857, *House Executive Documents*, 35th Congress, 1st Session, x, pp. 35-38, and pp. 46-47. Lieutenant Colonel C. F. Smith shared in these sentiments. He commanded about 300 dragoons guarding the rear supply trains; and before Johnston formed junction with him, in a letter to the assistant adjutant general at Fort Leavenworth, under date of Oct.

GRIM IRONY OF EVENTS IN JOHNSTON'S CASE

It is nothing short of the grim, irony of events, and renders colorless all these high-sounding phrases of patriotic emotion for the general government; also this indignation at a people who had "with premeditation placed themselves in rebellion against the Union," that the man uttering them should himself in a few years stand among the leaders of a gigantic rebellion against that government, and become a leader of armies devoted to the destruction of that Union; and himself stricken in death at the head of an army on the very verge of victory¹⁶ over an army fighting for the life of

13th, wrote: "They [the 'Mormons'] say no more supplies shall go forward; that they will not shed blood; but if a Mormon is killed by us they will utterly exterminate the Gentile army. As the threats of their leaders to Captain Van Vliet, coupled with the burning of our supply trains—in itself an act of war—is evidence of their treason, I shall regard them as enemies, and fire upon the scoundrels if they give me the least opportunity." (*House Executive Documents*, 35th Congress, 1st Session, x, No. 71, p. 41).

16. This refers to the great battle of Pittsburg Landing on the Tennessee river, some seven miles above Savannah, but usually known as the Battle of Shiloh, so named from a little log church in the woods between two and three miles west from the landing, fought on the 6th and 7th of April, 1862. General Grant himself described the engagement at Pittsburg Landing as "the severest battle fought in the west during the war, and but few in the east equalled it for hard, determined fighting." (*History of the United States*—Scribners', Bryant, Gay, Brooks—vol. v, p. 17). The Federals lost in killed, wounded and missing 13,047; the Confederates, according to their own showing lost from the same causes, 10,699. "Few battles," says this historian, "have been more destructive in proportion to the numbers involved. There were not far from 100,000 men engaged on both sides, and the returns indicate that almost every fifth man was killed or wounded." (*Ibid*). The first day General Johnston was in command, the Federal forces by noon were driven in confusion to the high bluffs of the Tennessee, overlooking the landing, and "crowded into a space of not more than four hundred acres;" by two o'clock complete success was within the grasp of the Confederates. About this time General Johnston, at the head of his forces, was shot through the leg, an artery was severed, no one was at hand who knew how to stop the flow, and in a few minutes he was dead. General Beauregard failed effectively to press the advantage Johnston had won in the first day's battle, and the victory of Shiloh was lost to the Confederates through his death; for during the night following, Grant was reinforced by the arrival of Buell's army of 40,000 men, and on the second day of the engagement regained his lost ground, and the Confederate army retreated. "The death of Johnston was a bitter loss to the Confederacy," remarks John Fiske. "Jefferson Davis afterward declared his belief that 'the fortunes of a country hung by the single thread of the life that was yielded on the field of Shiloh.'" (*The Mississippi Valley in the Civil War*, p. 84). In this connection it will be interesting to note that Lieutenant C. F. Smith, also of the "Utah Expedition," became major general in the Civil War, and was in command of the army concentrating at Pittsburg Landing preceding Grant in command, but about the middle of March, illness, caused by a wound on his foot, compelled him to retire from the field, and he relinquished his command of an army of more than 30,000 men, to General Grant. On the 25th of April, 1862, he died at Savannah, Tennessee. (*Ibid*, pp. 66-74).

the government, and the perpetuity of the Union. Just as it also smacks of the irony of events that the secretary of war, in the Buchanan administration, Mr. John B. Floyd, who so roundly denounced the "Mormons" of Utah for their alleged "defiance to the sovereign powers" of the government, characterizing them as "a rebellious fraternity, besetting one of the most important avenues of communication traversing its domain;" and who, finally, for the "prompt and thorough suppression of the spirit of rebellion reigning in Utah," recommended that five new regiments be raised for service in Utah in the spring of 1858¹⁷—it smacks of the irony events, I say, that this man so zealous for the authority of the general government, should finally be requested to leave the cabinet of the Buchanan administration, under suspicion of being privy to the abstraction of \$870,000 bonds from the department of the interior, during the latter part of 1860, and also that he should be accused of having transferred arms—one item being 113,000 muskets—from northern to southern arsenals, in aid of the southern armed resistance to the federal government!¹⁸

TWO TERRITORIAL CAPITALS: SALT LAKE CITY—CAMP SCOTT

Meantime to return to matters more immediately connected with this *History*, Utah may be said to have had two capitals during the winter of 1857-8, Salt Lake City and

17. See Report of the Secretary of War in *Senate Documents*, 35th Congress, 1st Session, vol. iii, pp. 6-9. He not only denounced the Latter-day Saints for their alleged rebellion against the government, but sat in judgment upon their religion which he denounced as "fanaticism, supported by imposture and fraud," and as running counter, in both tenets and practices, "to the cherished truths of Christian morality." (*Ibid*).

18. It ought to be noted, however, that on the charge of being privy to the defalcation in the interior department, Secretary Floyd voluntarily appeared in court in Washington, gave bail and demanded an immediate trial; and that the government thereupon entered a *nolle prosequi*. Also in the matter of the accusation of having transferred United States arms from the northern to southern arsenals, in anticipation of the outbreak of the Civil War, it is declared that the charge was groundless, as it was shown that "the arms transferred were condemned arms and removed in order to make room in northern arsenals for more modern ones." This, however, leaves the question—"but why were the arms removed to the southern arsenals?" unanswered. In the one case, the court in the district of Columbia was friendly; and in the other, the congressional committee was sympathetic. (For consideration of Secretary Floyd's treason to the United States Government, see *Note 2*, end of chapter).

Camp Scott on Black's Fork, the latter place about two miles above Fort Bridger, in what was then Green River county. "The camp site was sheltered by high bluffs which rise abruptly from the bottom at a distance of five or six hundred yards from the channel of the stream. The banks of the fork were fringed with willow bushes and cottonwood trees, blasted in some places where the Mormons had attempted to deprive the troops of fuel. * * * The water of the fork, clear and pure, rippled noisily over a stony bed between two unbroken walls of ice."¹⁹ "The civil officers of the territory fixed their headquarters in a little nook in the wood above the military camp," says the author of the "Utah Expedition" in *Atlantic Monthly*,²⁰ where they dug square holes in the ground, over which they built log huts, plastering the cracks with mud. Their little town they named "Eckelsville," after the new chief justice of the territory.²¹ For the rest Camp Scott was made up of canvas tents of the Sibley pattern.²² Although in their quarters the civil officers were separated from the military quarters all civil process issued from "Camp Scott," Green River county, Utah, not from "Eckelsville."

GOVERNOR CUMMING'S PROCLAMATION TO THE PEOPLE OF UTAH

It was from Camp Scott that Governor Cumming issued his proclamation, "To the People of Utah Territory," on the 21st of November, announcing that on the 11th of July, 1857, the president of the United States had appointed him governor for the territory of Utah; that he arrived at the point from which he addressed them on the 19th of Novem-

19. *The Atlantic Monthly*, March, 1859, p. 371.

20. This was Colonel Albert G. Brown of the "Expedition." (*Linn's Story of the Mormons*, p. 500, note 2).

21. *Atlantic Monthly*, March, 1859, pp. 371-2.

22. The Sibley tent had just been introduced into the service. "An iron tripod supported a pole from the top of which depended a slender but strong hoop. Attached to this, the canvas sloped to the ground, forming a tent in the shape of a regular cone. The opening at the top caused a draught, by means of which a fire could be kept up beneath the tripod without choking the inmates with smoke. An Indian lodge had evidently been the model of the inventor." (*Atlantic Monthly*, March, 1859, pp. 371-2).

ber; that he would probably be detained some time in his present location in consequence of the loss of animals during the recent snowstorm; that he would proceed at this point to make the preliminary arrangements for the temporary organization of the territorial government. He announced that many treasonable acts of violence had been committed by lawless individuals, supposed to be countenanced by the late Utah executive [ex-Governor Young]—such persons were in a state of rebellion; proceedings would be instituted against them in a court organized by Chief Justice Eckels, held in Green River county; this would supercede the necessity of appointing a military commission for the trial of such offenders. It was his duty to enforce unconditional obedience to the organic law of Utah, and all other laws of congress applicable to the territory; to effect this he would first rely upon a *posse comitatus* of the well disposed portion of the inhabitants, and will only resort to a military *posse* in case of necessity—he trusted this necessity would not occur. He came among the people with no prejudices or enmities, and hoped to command their confidence by a just and firm administration. Freedom of conscience and the use of their own peculiar mode of serving God, he recognized as sacred rights guaranteed by the Constitution, with which it is not within the province of the government to interfere, neither is it the disposition of its representatives to so interfere. By virtue of his authority as commander-in-chief of the militia, he ordered all bodies of individuals, by whomsoever organized to disband and return to their respective homes; disobedience to this command would subject the offenders to the “punishment due to traitors.”²³

On the same date Governor Cumming from his improvised capital, inclosed a copy of his proclamation to ex-Governor Young with a personal note iterating his own appointment to the office of governor; expressing regret for many

23. *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, p. 76.

acts of violence committed on the highway, resulting in the destruction and robbery of property belonging to the United States; these acts indicated that the territory was in a state of rebellion, for which the ex-governor was reputed to be responsible; such was indicated by a proclamation purported to be issued by the ex-governor, and by papers signed by his authority found upon the person of Joseph Taylor who had been taken prisoner. The matter contained in these papers "authorizes and commands violent and treasonable acts"—acts which tend to the disruption of the peace of the territory, and subject their enactors to the penalty accorded to traitors. If the papers referred to were not authentic Governor Cumming trusted that the ex-governor would disavow them.²⁴

JUDICIARY ORGANIZED AT CAMP SCOTT

The organization of a district court at Camp Scott became necessary in order to control the lawless elements represented by one thousand teamsters who had been discharged from service on the supply trains; and by the camp followers. Colonel Johnston had partly overcome the difficulty presented by the presence of these lawless men in camp by enlisting four companies of them as volunteers in the United States army for the "Utah Expedition." The first of these companies was taken into the service at South Pass, and was organized from the employees of Mr. Magraw (who will be remembered by the reader as the disappointed mail contractor for Utah, now in the service of the government as a contractor), their services being regarded as necessary for the protection of the supply trains of the army. The other three companies were recruited at Camp Scott. The four companies aggregated three hundred and twenty-five men. The term of enlistment was for nine months. "A term of six

24. *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, p. 76. This letter is referred to by the writer in the *Atlantic Monthly* for March, 1859, "in which," he says "there were expressions that indicated a disposition to temporize" (p. 373).

months," the colonel commanding explained in his report to the military authorities at Washington, "would be without utility, as, in that case the men would be entitled to their discharge in the midst of active operations. A term of twelve months was objectionable, as it would bring the period of discharge at so late a season as to make it impracticable for the men to return to their homes."²⁵

The volunteers were to depend upon congress making the necessary appropriation for their pay; each company chose its own captain and together were to elect the commander of the battalion which the four companies formed. Captain Barnard E. Bee, of the 10th regiment of infantry, received that honor. Colonel Johnston reported this election to Governor Cumming and asked that the captain be commissioned a lieutenant colonel, a rank which the importance of his command rendered desirable. This appointment Governor Cumming "after a careful examination of the statutes of the territory," refused to make. Later, however, the governor appointed Captain Bee, one of his *aides-de-camp*, with the rank of lieutenant colonel, in which capacity he asked Colonel Johnston to recognize him, and thus the technical difficulty the governor saw in the statutes was overcome.²⁶

The enlistment of these companies still left large numbers to be controlled by the court. "Its convicts," says the writer of the article in the *Atlantic Monthly*, "were received by Colonel Johnston and committed to imprisonment in the guard tents of the army."

BRIGHAM YOUNG, *et al*, INDICTED FOR TREASON BY
CAMP SCOTT GRAND JURY

"The grand jury," says the *Atlantic Monthly* authority, impanelled for the purposes of the court, were obliged to take cognizance of the rebellion, and, after thoroughly investigating

25. Letter of Colonel Johnston to Major Irvine McDowell, assistant adjutant general, headquarters of the army, New York, *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, pp. 108-10.

26. See letters back and forth on the subject, *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, pp. 108-10 and 112-13.

the facts of the case, they returned bills of indictment against Brigham Young and sixty of his principal associates."²⁷ Just why this grand jury called in this far-off country "were obliged to take cognizance of the rebellion," when ostensibly they were only called to insure security of life and property in Camp Scott and its vicinity, does not appear; unless a grand jury made up from discharged teamsters and camp followers, and who *en route*, had frequently boasted of the violence they would enact, once they had arrived in Salt Lake City, could be depended upon to present bills of indictment against all those complained of than could the *bonafide* citizens of Utah. This action is doubtless valuable as showing what might have been expected would have been the course of the federal civil appointees had they, without protest, once arrived in Utah with this rabble at their heels; made up, as the *Atlantic Monthly* writer points out, of "*the scum of the great western cities,*" but of "*a class more dangerous, because more intelligent and reckless, than the same class of population in New York.*" That it would have been from this class that both grand and petit juries would have been drawn by the civil authorities accompanying the "Utah Expedition," once arrived in Salt Lake City, will be made sufficiently clear by their course of action after their arrival; and even after the modification of their dispositions by the experiences of the opposition they encountered, and the change of front made by the government in the administration of Utah affairs.

THE SPIRIT OF THE "EXPEDITION" AT CAMP SCOTT—1857-8

For the rest, in relation to what happened in Camp Scott and vicinity during this memorable winter, it should be said that all the days were not cloudy, and all events not gloomy. True, rations were cut down, and the meat portion was very poor; fuel was scarce and difficult to get; communication with the states was suspended by the storms and unsafety

27. *Atlantic Monthly*, March, 1859, p. 374.

of the roads; every species of duty in such a region, and at such a season was uncommonly severe. All this, however, according to the writer for the *Atlantic Monthly*, "mattered not"—

"Confidence and gayety were restored to camp, by the consciousness that it was commanded by an officer whose intelligence was adequate to the difficulties of his position. Every additional hardship was cheerfully endured. As the animals failed, all the wood used in camp was obliged to be drawn a distance of from three to six miles by hand, but there were few gayer spectacles than the long string of soldiers hurrying the wagons over the crunching snow. They built great pavilions, decorated them with colors and stacks of arms, and danced as merrily on Christmas and New Year's Eves to the music of the regimental bands, as if they had been in cozy cantonments, instead of in a camp of fluttering canvas, more than seven thousand feet above the level of the sea. In the pavilion of the Fifth Infantry, there drooped over the company the flags which that regiment had carried, ten years before, up the sunny slopes of Chapultepec, and which were torn in a hundred places by the storm of bullets at Molinos del Rey."²⁸

After giving this description of the bright side of garrison life at Camp Scott, and evidently viewing the somber side of it in the light of the uselessness of the army's presence in Utah, if not from intrinsic uselessness of it from the beginning, then surely the uselessness of its presence in consequence of the sudden change made during the winter in the policy of the federal administration respecting Utah affairs, he thus bitterly concludes his reflections:

"Perhaps the disposition of the camp would have been more in harmony with the scenery and the season, if the army had dreamed that the administration, which had launched it so recklessly into circumstances of such privation and danger, was about to turn its labors and sufferings into a farce, and to claim the approval of the country for an act of mistaken clemency, which was, in reality, a grave political error."²⁹

28. *Atlantic Monthly*, March, 1859, pp. 374-5.

29. *Ibid.*, p. 375. The "blunder" here referred to, of course, had reference to the "free pardon" soon to be granted to the entire Utah community, including its daring leaders.

NOTES

1. U. S. SENATOR HOUSTON'S COMMENTS ON THE ACTION OF COLONEL JOHNSTON IN REJECTING THE SALT SENT TO THE "UTAH EXPEDITION" BY BRIGHAM YOUNG

"An act of civility was tendered by Brigham Young, and you might, if you please, construe it, under the circumstances, rather as an act of submission on his part. He sent salt to the troops, understanding that it was scarce there, and was selling at seven dollars a pint. As an act of humanity, thinking at least that it could not be regarded as discourteous, he sent a supply of salt requisite for the relief of the encampment, intimating to the commander that he could pay for it, if he would not accept of it as a present. What was the message the military officer sent back? I believe the substance of it was that he would have no intercourse with a rebel, and that when they met they would fight. They will fight; and if they fight, he will get miserably whipped. That was a time to make peace with Brigham Young, because there is something potent in salt. With the Turk, who has similar habits and religion to the Mormons, it is the sacrament of perpetual friendship. Why may not the Mormons have incorporated that into their creed? But, instead of that, he sent him a taunt and defiance. Why could he not have said: 'I will accept it as a present, or I will recompense you for it according to its value? I would rather see Brigham Young; and if he chooses to come to my encampment, I pledge him the honor of an officer that he shall go away unscathed if we come to no understanding; but if he wishes to acknowledge the authority of the United States, I am ready to receive that acknowledgment; and if the government of the United States bids me, I will withdraw my troops.' If he had sent that message, it would have been worthy of a magnanimous, generous soldier's mind and heart. As it was, he sent a message I would not have sent, and I do not think it is calculated to conciliate Brigham Young. He is too proud a man, I take it; a man of too much sense to have sent such a message as that, after an act of civility was tendered."³⁰

2. THE TREASON OF JOHN B. FLOYD

Secretary Floyd is named by Bryant-Gay-Brooks' *History of the United States* (Scribner's Sons—1898) as among the Virginia group of leaders—six in all—who proved their "devotion to the cause of secession by their activity in promoting that cause—up to the verge of fighting." Also Mr. Floyd is named by the same authority as being among the four chiefs who "were not only notably active, but especially influential in hurrying the steps that led up to the attempt to dissolve the Union." "While these men were drawing pay from the treasury of the United States, they were plotting for the destruction of the Union of the states, and while they were holding confidential relations with the chief executive, they were in constant communication with the

30. *Congressional Globe*, 35th Congress-Senate Proceedings, 1st Session, Feb. 25th, 1858, p. 874.

insurgents, sending them information accessible only to the high officials of the government; and they remained in place as long as they could best serve their fellow conspirators, without exceeding the bounds of their personal safety." "As a curious example of the astuteness and the intelligence with which one of these men, John B. Floyd, had calculated the possibilities and probabilities of secession," my authority continues, "quotation may be made from a letter written by him, November 20th, 1860, while he was yet exercising the functions of secretary of war. Writing to a friend (a Mr. Peterson, of Mississippi), Floyd said: 'South Carolina will go. I consider Georgia and Florida as certain. Alabama probable. Then Mississippi must go. But I want Louisiana; Texas, Arkansas, Tennessee, North Carolina, Virginia, and Maryland will not stay behind long.'"³¹

Floyd also became a brigadier-general in the confederate army, and commanded at Fort Donaldson up to the very eve of its fall; and here his behavior was no more creditable as a soldier than it had been as a cabinet officer; for when General Grant had the fort completely invested, and the southern army beaten to the point where "unconditional surrender" or annihilation was the only alternative, Floyd transferred the command to General Pillow, "making it a condition that he would be allowed to take his own brigade across the river, there being barely enough boats for that purpose." "Floyd and his men," says the historian, John Laird Wilson, quoted approvingly by Alexander H. Stephens, "went on board a steamer at the wharf, and steered off amid the curses and hisses of their former companions in arms. It was a shameful transaction; . . . *Floyd had now appeared in his true character.*"³²

For his shameful part in the Fort Donaldson affair General Floyd was relieved of his command in the confederate army by President Jefferson Davis; but the state of Virginia appointed him a major general in her own service. He did not long survive the disgrace that had overtaken him, however, as eighteen months later he died at his home in Abingdon, Virginia.

31. *History of the United States*, Bryant-Gay-Brooks, vol. iv, p. 440.

32. *History of the United States*, Alexander H. Stephens, p. 645.

CHAPTER CIX

THE "UTAH WAR": TERRITORIAL ACTIVITIES AT SALT LAKE CITY —CONVENING OF THE LEGISLATURE—MEMORIALS TO THE PRESIDENT OF THE UNITED STATES AND TO CONGRESS.

IN Salt Lake City, the other capital of the territory, there was great activity among the territorial officials during the winter of 1857-8. The legislature convened on the 14th of December, and on the 15th met in conjoint session to receive the message of Governor Young and accompanying documents. The message was read by James Ferguson, chief clerk of the house, and a thousand copies were ordered printed; also it was ordered printed in the *Deseret News*.

SUBJECTS OF THE MESSAGE—REVIEW OF FEDERAL PROCEDURE

The document is quite temperate, all the circumstances under which it was prepared being considered. Its earlier paragraphs deal with such subjects as the advantage of their isolation from many of the perplexing conditions of more densely populated regions; agriculture and stock raising; home manufactures and industries; education;¹ the reports of the auditor and treasurer.

The discussion of the issues between the territory and the federal government are approached through the action of the government in suspending the mails, the injustice of which is vigorously maintained. The "colonial system" adopted by the American Republic, under enactments of 1784 and 1787, respectively, and each before the adoption of the

1. On this subject the message said: "Our schools, to those unacquainted with the facts and circumstances connected therewith, may seem not to have received that attention which their importance demands; at the same time each ward [i. e. an ecclesiastical subdivision of the settlements] throughout the territory has provided one or more comfortable schoolhouses commensurate with the number of pupils to be accommodated; and proportionately more has been done in Utah for the true enlightenment of the rising generation than has ever been accomplished under like conditions in any other portion of the Union. * * * In this great cause," said the governor to the legislature, "your influence and example can be made productive of much good, even though your judgment should leave you, during your present session, to waive direct legislation upon this subject."

present Constitution of the United States, is deplored as being contrary to that great American principle which recognizes that governments derive their just powers from the consent of the governed; and which can only be realized in practice when administrators of the laws, as well as those who make the laws, receive their commission from the people. The aforesaid enactments are held to be entirely at variance with the very genius of the American system of government; and it is a matter of surprise that such a system of colonial government was adopted, and a still greater surprise that the usurpation of power involved therein had so long been submitted to by American citizens inhabiting the territories. The latter phase of the question could only be accounted for on the ground that in the main the usurped powers had been exercised with some regard to "justice." "And the portion of that illegal legislation copied into organic acts for territories could still be endured, were it not so grievously abused," said the message, "as is the case when officers are attempted to be forced upon a free people, contrary to their known and expressed wishes. * * * Even since the more odious features in the ordinance of 1787 have been omitted in the organic acts, more recently passed by congress for territories—which acts are but illegal patterns after that unconstitutional ordinance—officers are appointed to rule over American citizens in territories and to have a voice in the enactment, adjudication and execution of territorial laws; and worse still, those officers are frequently appointed from a class well known through the rightfully expressed wishes of large majorities, to be justly objected to by those whom they are appointed to govern. *Call you that republican? It is British colonial vassalage, unconstitutionally perpetuated by tyranny and usurpation in the powers that be.*"

Attention is called to the fact that "the previous territorial legislature, familiar with the evils visited upon the innocent by the miserably bad conduct of certain officials

heretofore sent here by government, * * * respectfully memorialized the president and senate to appoint officers for Utah in accordance with an accompanying list containing the names of persons who were her first choice for the offices placed opposite those names, but if that selection did not meet with approval, they were solicited to make the appointments from a list containing other and a larger number of names of residents who were also the choice of the people; and if that selection was also rejected, to appoint from any part of the Union, with the simple request, in such event, *that the appointees be good men*. In this matter of appointment of officers, what more rights could the most tyrannical, in a Republican government, ask a territory to waive? Yet up to this date no official information concerning the action, if any, taken upon that Memorial has ever reached us."

Instead of taking into account or considering the expressed wishes of the people of Utah, the president and congress had listened to the "rabid clamor" against Utah by "corrupt demagogues, heartless office hunters, and the ignorant rabble, incited by numbers of the hireling clergy;" and, as reported in Utah by travelers [emigrants *en route* to California], presently to be confirmed by newspaper utterances, the administration was sending an army to Utah with the sole and avowed purpose of "compelling American citizens, peacefully, loyally, and lawfully occupying American soil, to forego the dearest constitutional rights, *to abandon their religion * * * or be expelled from the country, or exterminated.*"² "Where now are constitutional rights?" asks the message. "Who is laying the ax at the root of the tree of liberty? Who are the usurpers? Who the tyrants? Who the traitors?"

THE JUSTIFICATION OF RESISTANCE

The message defends the course pursued in resisting the approach of the army, and adds to that division:

2. The *New York Tribune* editorial is so important as a document that it is given complete in Note 1, end of chapter.

"We have long enough borne the insults and outrages of lawless officials, until we are compelled in self-defense to assert and maintain *that great constitutional right of the governed to officers of their own election, and local laws of their own enactment.*"

In conclusion the governor expresses his entire confidence in the wisdom and justice of the legislature and assures them of his hearty cooperation in every measure for promoting the interest of the territory.³

The statement of the message that the federal administration was sending its army to Utah with the sole and avowed purpose of "compelling American citizens * * * to forego the dearest constitutional rights, *to abandon their religion * * * or be expelled from the country, or exterminated,*" may seem extravagant; and yet from an analysis of the situation, given in the *New York Tribune* of Jan. 30th, 1858, the view presented in the text by Brigham Young is held to be one that "impresses the popular mind, and is generally accepted as the object in view," viz., that the "Expedition" against the "Mormons" "*is enthusiastically regarded as a holy war, undertaken in the interest of morality and religion.*" If the saints cannot be corrected in their morals and converted from their religion, then the purpose is "*to resort to the remedy of dispersing them by fire and sword.*" "This view of the object of the 'Expedition,' " adds Mr. Greely—for evidently he wrote the *Tribune* Editorial—"is even taken and zealously sustained on the floor of congress itself." (See Senator Houston's speech in the senate, *ante*). In view of this statement of the case from a source so eminent, and representing what the popular view of the purpose of the "Expedition" was; and that the same view was even expressed and "zealously maintained on the floor of congress"—is it matter for marvel that the church leaders had the same apprehension of its purpose?

3. The message will be found *in extenso* in *Deseret News* of Dec. 23rd, 1857.

THE MESSAGE APPROVED BY THE LEGISLATURE

The message was read to the joint assembly of the houses of the legislature on the 15th; and on the 21st of the same month both houses passed and every member of each house signed a series of resolutions both for themselves and in behalf of their constituents—"knowing well their feelings and sentiments"—concurring in the sentiments and doctrines of the message of his excellency, Governor Young; approving his entire policy, announcing their readiness to sustain him in every act for the protection of the lives, peace, and prosperity of the people of the territory; neither the present nor any other administration of the central government should force profane and drunken and otherwise corrupt officials upon them at the point of the bayonet, that the attempt so to do by the present administration had incurred the contempt it deserved; they would continue to resist any attempt on the part of the national administration to bring them into a state of vassalage by appointing officers whom the people have neither voice nor vote in electing; nor should the persons appointed to office for Utah by the present administration either qualify for, or assume to discharge the functions of, the office to which they have been appointed, so long as the territory is menaced by an invading army.⁴

The next step of the legislature was to disorganize Green River county, and attach it to Great Salt Lake county for election, revenue and judicial purposes; and the representative, after the present legislative assembly, shall be apportioned to Salt Lake county.⁵ This move, of course, was intended to deprive the civil officers of Camp Scott, the control of a political subdivision of the territory.

A joint resolution was passed by the legislature asking

4. The resolutions with the signature of Heber C. Kimball, President of the council, and John Taylor, speaker of the house; and the signature of each member of both houses, are published in the *Deseret News* of Dec. 23rd, 1857. "In compliance with their unanimous and cordial desire," the officers of both houses of the assembly also attached their names to the resolutions. (*Ibid*).

5. The act is certified by W. H. Hooper, secretary *pro tem* for Utah territory, and published in *Deseret News* of Dec. 23rd, 1857.

that Governor Young furnish the assembly with copies of the correspondence had with certain officers of the United States army. The correspondence was submitted accordingly, read by the clerk of the house, and ordered printed in the *Deseret News*.⁶

CAPTAIN MARCY AND ELDER TAYLOR'S CORRESPONDENCE

A similar request was made upon John Taylor, speaker of the house, who had some correspondence with Captain Marcy of the "Expedition," this also was read and ordered printed in the *Deseret News* of the same date.

These letters consisted of (1) a letter from Mr. W. J. A. Fuller, introducing Captain Marcy, and affirming that gentleman's high standing and worthiness to be taken into the confidence of "Governor Young." Mr. Fuller apprehended no sort of difficulty between the "Mormon" people and the United States forces. Of course Captain Marcy "obeys the orders of his superiors in going to Utah," said Mr. Fuller, "and I am sure," he continues, "that nothing is farther from his wishes or intentions than what is so flippantly styled here by the papers '*the subjugation of the Mormons*.'" In this Mr. Fuller is an important witness as to what the popular conception of the purpose of the "Expedition" was and in what follows he is also an important witness on what unworthy testimony the national administration proceeded to its extreme act of folly in sending the "Expedition" to Utah. "*When our government finds out that they have acted hastily and ill-advisedly in thus sending troops into your peaceful country, I have no doubt that they will feel heartily ashamed of ever having listened to the malignant and foolish lies of that rascally libertine and whoremonger, Judge Drummond (upon whose testimony I would not hang a dog); and that they will permit Captain Marcy to carry out his favorite scheme of exploring the Colorado Basin.*" (2) A letter from Mr. Fuller to Captain Marcy, explaining that he had written

6. See *Deseret News* of Jan. 13th, 1858.

the letter of introduction to Elder Taylor at the instance of the captain's brother. (3) A brief note from Captain Marcy, inclosing the letter of introduction, and assuring Elder Taylor that the officers of the "Expedition" had no thought of interfering with the religious or social customs of the "Mormons." From the commencement of the march there had been an almost universal manifestation of a desire for a kind and friendly intercourse. (4) Elder Taylor's reply to Captain Marcy, made famous by repeated reproductions in both *pro* and *anti*-"Mormon" literature. It bears the date of Oct. 21st, 1857. The letter found its way into the official documents at Washington.⁷ The letter of Elder John Taylor who became president of the Church of the Latter-day Saints, succeeding Brigham Young in that high office, sets forth the position of the people of Utah most admirably, and for that reason the correspondence is given *in extenso* as a *Note* (2) at the end of this chapter. Also it is a monument to the literary ability, kindliness and dignity of its writer.

THE FERGUSON-COOKE CORRESPONDENCE

Another correspondence of this period, somewhat different in character but interesting, nevertheless, as on one side, at least, it meant that bullets or rapier in single combat was behind it. This was the correspondence between Colonel James Ferguson, adjutant general on General Wells' staff of the Nauvoo Legion—Utah militia—and Colonel Philip St. George Cooke. The eastern press published a letter purporting to have been written by Colonel Cooke, dated at Camp Scott, Nov. 29th, 1857, declaring that the "Mormons" were "a set of cowards, like all assassins and bullies." Colonel Cooke, it will be remembered, was the colonel commanding in the Mormon Battalion's march to the Pacific coast, 1846; and James Ferguson, though but eighteen years of age when he enlisted, was made sergeant major of Company A, in that

7. *House Executive Documents*, 35th Congress, 1st Session, x, No. 71, pp. 57-62.

battalion. Because of his own connection with the battalion, and Colonel Cooke's connection with it, the young and brilliant Irishman⁸ thought proper to call his old commander to an accounting, and accordingly wrote him to the effect that the phraseology accredited to him was a very ungenerous return for the "sincere respect entertained" for the colonel "by the Mormon Battalion, and, indeed, the whole 'Mormon' people." Ferguson hoped that the colonel could disclaim the correspondence. If not, then he asked that he make an apology. Happily the colonel could disclaim authorship of the letter and courteously thanked his young friend for informing him of the "forgery." He also spoke of the high praise he had given the Mormon Battalion on its arrival on the Pacific coast, which high praise was now part of a United States senate, official document. He also referred to his association with Ferguson on the battalion staff as a pleasant one. Subsequently he gave the Utah militia adjutant permission to publish the correspondence on the subject.⁹

THE LEGISLATURE MEMORIAL TO THE PRESIDENT AND
CONGRESS OF THE UNITED STATES

On the 6th of January the Utah legislature drew up

8. "Soldier, actor, orator, and lawyer, one of the brightest and most versatile minds and from what his friends say of him, one of the most winsome and loveable natures"—is O. F. Whitney's characterization of James Ferguson, in his biography of him. (*History of Utah*, vol. iv, p. 180, *et seq*). "He was a native of Belfast, Ireland, and came of a Protestant family of that city—his parents being Francis and Mary Patrick Ferguson. He joined the Church of the Latter-day Saints in Liverpool when fourteen years of age, and migrated to Nauvoo, just in time to join the last company of exiles from that ill-fated city, and arrived in Council Bluffs in time to enlist in the Mormon Battalion. In that trying march this 'young Emmett's' wit and humor enlivened every scene, and he was a universal favorite" (Whitney). He was held in high esteem by General Wells, who made him adjutant general of his staff in the "Echo Canon War." He led a useful and eventful life, which ended all too soon in his 36th year. He died at Salt Lake City, 13th of August, 1863.

9. This correspondence was published first in the *Deseret News* of Sept. 1st, 1858. Later in Sergeant Tyler's *Mormon Battalion*, pp. 368-70. It will be found *in extenso* Note 3, end of this chapter. A letter written in a very different vein from the correspondence here referred to, is spoken of by several Utah writers (See *History of the Nauvoo Legion*, Young, *Contributor*, vol. xi, p. 403; also Whitney's *History of Utah*, vol. i, p. 659. It is also referred to in the *History of Brigham Young*, Ms., 1858, p. 491; but is not given there. The excerpt published in works above cited is very caustic and bitter in spirit; it was evidently written under great stress of feeling, but the sober, second thought doubtless withheld it from being sent to Colonel Cooke, and the published letter found in Note 3, end of this chapter, took its place).

and individually signed a lengthy Memorial to the president and congress of the United States reviewing the whole course of the administration in respect of Utah affairs, and appealed, as American citizens who had been deeply wronged, for just treatment. "All we want," said the Memorial, "is truth and fair play. The administration has been imposed upon by false and designing men; their acts have been precipitate and hasty, perhaps through lack of due-consideration. Please let us know what you want of us before you prepare your halters to hang, or apply the knife 'to cut out the loathsome, disgusting ulcer.' Do you wish us to deny our God and renounce our religion? That we shall not do." "*Withdraw your troops,*" said the closing sentence of the Memorial, "*give us our constitutional rights, and we are at home.*"¹⁰

THE SALT LAKE MASS MEETING ON THE UTAH SITUATION

On January 12th, 1858, a great mass meeting was held in Salt Lake City, of which the Mayor A. O. Smoot, was chairman. The object of the meeting was to adopt an address to President Buchanan, also to the congress of the United States, and to pass resolutions expressive of the people's feelings upon the policy of the administration towards the people of Utah—which were, of course, the Latter-day Saints—and also to express the sentiments of the people of the city respecting the course followed by the governor and legislative assembly of the territory in the issues which had arisen between the federal administration and the people of Utah. The addresses are long, but vigorous, nevertheless, and in them the people assert their innocence of wrong doing, recount the outrages inflicted upon them by the character and conduct of those who have been sent as United States and territorial officials among them; they demand their rights as American citizens, including community self-government, and reiterate their intention to maintain those rights at whatever sacrifice circumstances might make needful.

10. The document in full is published in the *Deseret News* of Jan. 13, 1857.

The closing paragraph of the address to the congress of the United States is as follows:

"We call upon you to reconsider your acts, to mete out to us even-handed justice, to withdraw your army, restore our mails, execute justice upon our oppressors, and give us our constitutional rights. We ask no more, but that, in the name of God, we will have, he being our helper. * * * We come not to you with smooth speech, or honeyed words; we have not learned to cringe beneath the lash of tyranny, nor to basely lick the feet of public servants who undertake to oppress us. We approach you as your equals, and frankly, openly and above board ask for our rights. We will not tamely submit to be abused, as we have been hitherto. We approach you not as a clique, a cabal, or a miserable faction; our voice is the united voice of nearly one hundred thousand Americans, laboring under the most unprecedented cruelty, outrage and wrongs, and our cry is, give us our constitutional right, let us enjoy our liberty in peace, and let even-handed justice be administered throughout the land, for we will no longer wear your cursed yoke of unconstitutional requirements."

The series of resolutions cover the whole history of outrages committed against the Latter-day Saint communities from the expulsion from Jackson county in 1833, up to the launching of the "Utah Expedition." They most heartily endorse the policy of Governor Young, and the action of the legislature in sustaining him in that policy by resolutions of confidence and declarations of intention to maintain the policy of resistance for the future, recking not of consequences.

On the point of sustaining Governor Young in resisting the entrance of the army into Salt Lake valley, and sustaining the legislature in sanctioning that action, the resolution said:

"Resolved that we highly approve of the constitutional, patriotic, and humane course pursued by his excellency, Governor Brigham Young, in taking efficient measures to inter-

cept the progress of these unwelcome, unasked for, and corrupting intruders."¹¹

These documents are doubtless somewhat extreme in their setting forth of grievances, and some parts are not germane to the issues then joined; but that they are the fearless utterances of strong, brave, patriotic, and talented men, none can doubt who read them and give them fair consideration, making allowance only for the intense stress of feeling under which they were drawn up and adopted.

In addition to this mass meeting held in Salt Lake City, similar meetings were held in many parts of the territory: Farmington, on the 17th of January;¹² Lake City, Alpine, Pleasant Grove, Freedom and Provo in Utah county;¹³ Manti in San Pete county; Willow Creek, Box Elder county;¹⁴ Parowan and Paragoona in Iron county, also Washington, Washington county;¹⁵ and still later in Lehi, Santaquin, Fillmore, Cedar City, and other places. All these meetings were of the same general tenor as that held in Salt Lake City, and passed resolutions in the same spirit, though less elaborate.

CREATION OF A TERRITORIAL STANDING ARMY

The legislature during its session established an "express and weekly mail" to all parts of the territory, also established a "standing army" for the territory, to which purpose was appropriated \$1,000,000 to be raised by taxation. The force was to consist of ten battalions of mounted riflemen, "prepared for constant service," aggregating one thousand men.¹⁶

11. All these documents, addresses and resolutions of the mass meeting, held in Salt Lake City, will be found in *Deseret News* of Jan. 27th, 1858.

12. *Deseret News* of the 27th January, 1858.

13. *Ibid* of Feb. 3rd.

14. *Ibid* of Feb. 17th.

15. *Ibid* of March 3rd and March 10th.

16. See *History of Brigham Young, Ms.*, pp. 181-182. Under date of 20th of February, 1858, the following entry is made: "The people of this territory have voluntarily raised an armed force of one thousand mounted men, at an expense of one million dollars." (*Ibid*, p. 186, *et passim*). Many enactments were passed by this legislature granting herd grounds, ferry, and timber rights, and other special

The manufacture of gunpowder was in progress at Cedar City, Iron county, during the winter, and it tested out satisfactorily. The erection of another powder mill during the winter was begun in Provo. The people were also urged in the public discourses of the leading elders to prepare to cache flour, grain, other food stuffs, and property, in the event of its becoming necessary for the community to destroy their homes by burning, to lay waste their lands, and to retreat to the mountain fastnesses at the approach of the army now in their borders; and which was to be augmented in the spring by reinforcements the federal administration had ordered to join the "Utah Expedition."

NOTES

1. THE NEW YORK TRIBUNE EDITORIAL ON THE PURPOSE OF THE "UTAH EXPEDITION"

Mr. Henry Wilson, United States senator from Massachusetts, submitted a proposition to the senate to appoint a commission to inquire into the difficulties in Utah, and the *New York Tribune*, then edited by Mr. Horace Greeley, commented on that proposition under the caption—

COMMISSION FOR UTAH

"The proposition of Mr. Wilson submitted to the United States senate for a commission to inquire into the difficulties with Utah, is exceedingly well timed. This collision with the Mormons has come to be altogether too serious a matter to be allowed to go on without a thorough investigation of the grounds upon which we stand, and a distinct settlement in our own minds of what precisely we intend to do, and of the means and methods which we propose to employ.

As yet, as to all these points, there prevails both in the public mind and at Washington, to judge from the utterances in congress on this subject, nothing but the most vague ideas. The sending an army to Utah is commonly understood to have been undertaken on the ground that most of the United States officials in the territory—all who were not Mormons—had been compelled to quit it, and that the presence of a strong military force was necessary both to insure the personal safety of the new governor, judges and other officials, and still more to enable them to exercise any of the duties of their respective offices. It has been alleged that persons, not Mormons, resident in the territory passing

privileges to various persons. (See *Acts and Resolutions of the Legislative Assembly of the Territory of Utah*, 1856-7, pp. 3-25). Nearly all of these acts of special legislation were repealed by the succeeding legislature.

through it, have been, as a general thing, subjected to great annoyances and oppressions, and that the presence of a strong military force was absolutely necessary to secure to those non-Mormons, whether residents or travelers, the ordinary rights of citizens. It has further been alleged that there are in the territory, large numbers of persons who are held at once in civil and spiritual duress, compelled by fear and force to submit to an authority and to conform to a social and religious system which they abhor, and from which they would gladly escape did they see any prospect of being protected in doing so; and to afford this protection to those standing in need of it has been stated, though not in any official form, as one of the objects of the 'Expedition.'

It cannot be concealed, however, that apart from all these reasons for the military occupation of Utah, there is still another view of the object of the 'Expedition,' which more than all the rest, impresses the popular mind, and is generally accepted as the object in view. The Mormons have adopted polygamy as a part of their religious creed and social practices; a custom abhorrent to our ideas and manners. In this character of polygamists, they have become objects of extreme antipathy. Their pretensions to peculiar spiritual enlightenment, and to be the depositories of new revelations, cause them to be regarded by many religious persons, not merely as deluded fanatics, but as blasphemous hypocrites. Hence, the pending 'Expedition' against them is enthusiastically regarded as holy war, undertaken in the interests of morality and religion, intended to convert the Mormons to more correct ideas on the subject of matrimonial relations and religious truth; to break up their polygamous households, and to compel them to be content with one wife each; or should they not be brought to reason as to these matters by the precept and example of the new civil officers, seconded by the officers and soldiers of the army, then to resort to the remedy of dispersing them by fire and sword. This view of the object of the 'Expedition' is even taken and zealously sustained on the floor of congress itself.

If the Mormons are ready to set themselves up as God's chosen people, standing in the place of the Israelites of old, there is scarcely less disposition in other quarters to regard them as a sort of modern Canaanites whose infamous wickedness affords sufficient warrant even for their utter extermination.

It is in this last character of the 'Expedition' that the Mormons have resisted its entrance into their country. They deny the charge of any refusal of justice to, or of wrongs and oppressions exercised upon, those persons resident in Utah or traveling through it, not of their religious faith. They deny that any part of their own people are held under restraint beyond that domestic and legal restraint which exists and must exist in all well ordered communities. They deny that the officers of the United States who have left the territory acted under any compulsion, or had any other reason for their conduct except discontent that they could not have everything their own way. Their objections to the entry of the troops into their country is, that they are to be employed as the instruments of a religious persecution, and that the real

object of the 'Expedition' is to annoy, rob and plunder them, and to drive them out of Utah, as they have been heretofore driven out of Missouri and Illinois.

The vast expense which must attend the maintenance of our army in Utah, not to mention the horrors of civil war, and the desperate character of the resistance which the Mormons threaten to oppose to the entrance of the troops affords abundant reason why the necessity of this operation should be fully established and its object clearly explained. What information may be in possession of the executive, we do not know; but all the actual knowledge which the public possesses is very limited.

If the Mormons have chosen to pay more deference to their religious chiefs than to the officers appointed for them by the United States government, if they have preferred the arbitration of one of their bishops or elders to a suit at law before judges not of their own appointment, that is no more than they are at liberty to do.

We can well conceive that the officers appointed by the United States might find their offices almost or quite a *sine-cure*, and that church jurisdiction might gradually elbow the civil jurisdiction aside, without any acts on the part of the Mormons in actual defiance of law.

We can well imagine, too, that in a fanatical community like that of Salt Lake City, the few resident 'Gentiles' might find themselves in an uncomfortable position and subjected to a thousand annoyances which yet might not place the Mormons in the attitude of legal wrongdoers. Unfortunately it is not necessary to go so far as Utah to find abundant cases of that sort.

It is to be supposed, however, that the investigation proposed by Mr. Wilson would show something stronger than anything of this sort, such a resistance to law as would fully justify the administration in having originally undertaken the 'Expedition.' It would also afford the government an excellent opportunity for explaining precisely what they intend the troops shall do—an explanation in the present state of public opinion much needed, and which might leave the Mormons without any colorable grounds to resist the entrance of the troops."¹⁷

2. THE TAYLOR-MARCY CORRESPONDENCE: CAPTAIN MARCY'S LETTER

"CAMP OF THE 5TH INFANTRY ON HAM'S FORK,

October 13th, 1857.

Herewith I take the liberty of sending you a letter of introduction from our mutual friend, W. J. A. Fuller, of New York City. I also beg leave to trouble you with the accompanying note of introduction to Governor Young from Mr. W. I. Appleby, which I will thank you to read to the governor at your convenience.

When I left the states I expected to have the honor of delivering these letters in person, but as our movements are so slow, I have thought

17. *New York Tribune*, Jan. 30th, 1858. The article is copied into *History of Brigham Young, Ms.*, January, 1858, pp. 161-167.

it better to transmit them by the bearer, hoping that the opportunity may be afforded me of paying my personal respects at some future time.

In the meantime, suffer me to assure you that within the circle of my observation among the officers of this army, there has not been the slightest disposition to meddle with or in any way interfere with the religious or social customs of your people; on the contrary, there has, from the commencement of our march, been an almost universal manifestation of a desire for a kind and friendly intercourse: and I most sincerely hope that this desirable result may be brought about.

I verily believe that all the officers entertain the same feelings towards the Mormons as Captain Van Vliet, and I entertain no doubt that an acquaintance with them would satisfy you that such is the fact.

I am very respectfully and truly yours,

R. B. MARCY.

Rev. John Taylor,

Great Salt Lake City, Utah Territory."

ELDER TAYLOR'S REPLY

"GREAT SALT LAKE CITY,
October 21, 1857.

Captain Marcy.

MY DEAR SIR: I embrace this the earliest opportunity of answering your communication to me, embracing a letter from Mr. Fuller, New York, to you, an introductory letter to me, and also one from W. I. Appleby to Governor Young; the latter immediately on its receipt I forwarded to his excellency. And here let me state, sir, that I sincerely regret that circumstances now existing have hitherto prevented a personal interview.

I can readily believe your statement that it is very far from your feelings and most of the command that are with you to interfere with our social habits or religious views. One must naturally suppose that among gentlemen educated for the army alone, who have been occupied by the study of the art of war, whose pulses have throbbed with pleasure at the contemplation of the deeds of our venerated fathers, whose minds have been elated by the recital of the heroic deeds of other nations, and who have listened almost exclusively to the declamations of patriots and heroes, that there is not much time and less inclination to listen to the low party bickerings of political demagogues, the interested twaddle of sectional declaimers, or the throes and contortions of contracted religious bigots. You are supposed to stand on elevated ground, representing the power and securing the interests of the whole of a great and mighty nation. That many of you are thus honorable, I am proud as an American citizen to acknowledge, but you must excuse me, my dear sir, if I cannot concede with you that all your officials are so high-toned, disinterested, humane and gentlemanly, as a knowledge of some of their antecedents would expressly demonstrate. However, it is not with the personal character, the amiable qualities, high-toned feelings, or gentlemanly deportment of the officers in your 'Expedition' that we

at present have to do. The question that concerns us is one that is independent of your personal, generous, friendly and humane feeling, or any individual predilection of yours; it is one that involves the dearest rights of American citizens, strikes at the root of our social and political existence, if it does not threaten our entire annihilation from the earth. Excuse me, sir, when I say that you are merely the servants of a lamentably corrupt administration, that your primary law is obedience to orders, and that you come here with armed foreigners, with cannons, rifles, bayonets and broadswords, expressly and for the openly avowed purpose of 'cutting out the loathsome ulcer from the body politic.'

I am aware what our friend Fuller says in relation to this matter, and I entertain no doubt of his generous and humane feelings, nor do I of yours, sir, but I do know that he is mistaken in relation to the rabid tone and false, furious attacks of a venal and corrupt press. I do know that they are merely the mouthpiece, the tools, the barking dogs of a corrupt administration. I do know that Mr. Buchanan was well apprised of the nature of the testimony adduced against us by ex-Judge Drummond and others, for he was informed of it to my knowledge by a member of his own cabinet. And I further know from personal intercourse with members of the senate and house of representatives of the United States, that there have been various plans concocted at headquarters for some time past for the overthrow of this people. Captain, Mr. Fuller informs me that you are a politician. If so, you must know that in the last presidential campaign that the Republican party had opposition to slavery and polygamy as two of the principal planks in their platform. You may know, sir, that Utah was picked out, and the only territory excluded from a participation in preemption rights to land. You may also be aware that bills were introduced into congress for the prosecution of the 'Mormons,' but other business was too pressing at that time for them to receive attention. You may be aware that measures were also set on foot and bills prepared to divide up Utah among the territories of Nebraska, Kansas, Oregon and New Mexico, (giving a slice to California) for the purpose of bringing us into collision with the people of those territories.

I might enumerate injuries by the score—not to say anything about thousands of our letters detained at the post office at Independence—and if these things are not so, why is it that Utah is so *knotty a question*? If people were no more ready to interfere with us and our institutions than we are with them and theirs, these difficulties would vanish into thin air. Why, again I ask, could Drummond and a host of other mean scribblers, palm off their bare-faced lies with such impunity and have their infamous slanders swallowed with such gusto? Was it not that the administration and their satellites having planned our destruction, were eager to catch at anything to render specious their contemplated acts of blood? Or, in plain terms, the Democrats advocated strongly popular sovereignty. The Republicans tell them that if they join in maintaining inviolate the domestic institutions of the south, they must also swallow polygamy. The Democrats thought this would not do, as it would interfere with the religious scruples of many of their sup-

porters, and they looked about for some means to dispose of the knotty question. Buchanan, with Douglas, Cass, Thompson and others of his advisers, after failing to devise legal means, hit upon the expedient of an armed force against Utah, and thus thought by the sacrifice of the 'Mormons' to untie the knotty question; do a thousand times worse than the Republicans ever meant,—fairly out-Herod Herod, and by religiously expatriating, destroying or killing a hundred thousand innocent American citizens satisfy the pious, humane, patriotic feeling of their constituents, take the wind out of the sails of the Republicans, and gain to themselves immortal laurels. Captain, I have heard of a pious Presbyterian doctrine that would inculcate thankfulness to the All-wise Creator for the privilege of being damned. Now, as we are not Presbyterians nor believers in this kind of self-abnegation, you will, I am sure, excuse us for finding fault at being thus summarily dealt with, no matter how agreeable the excision or expatriation might be to our political, patriotic, or very pious friends. We have lived long enough in the world to know that we are a portion of the body politic, that we have some rights as well as other people, and that if others do not respect us, we at least have manhood enough to respect ourselves.

Permit me here to refer to a remark made by our friend, Mr. Fuller, to you *viz.*, 'that he had rendered me certain services in the city of New York, and that he had no doubt that when you had seen and known us as he had, that you would report as favorably as he had unflinchingly done.' Now those favors, to which Mr. Fuller refers, were simply telling a few plain matters of fact, that had come under his own observation during a short sojourn at Salt Lake. This, of course, I could duly appreciate, for I always admire a man who dare tell the truth. But, captain, does it not strike you as humiliating to manhood and to the pride of all honorable American citizens, when among the thousands that have passed through and sojourned among us, and know as well as Mr. Fuller did; our true social and moral position, that perhaps only one in ten thousand dare state his honest convictions? And further, that Mr. Fuller with his knowledge of human nature, should look upon you as a *rare avis*, possessing the moral courage and integrity to declare the truth in opposition to the floods of falsehood that have deluged our nation? Surely we have fallen on unlucky times when honesty is avowed to be at so great a premium!

In regard to our religion, it is perhaps unnecessary to say much, yet whatever others' feelings may be about it, with us it is honestly a matter of conscience. This is a right guaranteed unto us by the Constitution of our country, yet it is on this ground, and this alone, that we have suffered a continued series of persecutions, and that this present crusade is set on foot against us. In regard to this people, I have traveled extensively in the United States, and through Europe, yet have never found so moral, chaste and virtuous a people, nor do I expect to find them. And if let alone, they are the most patriotic and appreciate more fully the blessing of religious, civil, and political freedom than any other portion of the United States. They have, however, discovered the difference between a blind submission to the caprices of political dema-

gogues, and obedience to the Constitution, laws, and institutions of the United States; nor can they in the present instance be hood-winked by the cry of 'treason.' If it be treason to stand up for our constitutional rights: if it be treason to resist the unconstitutional acts of a vitiated and corrupt administration, who by a mercenary armed force would seek to rob us of the rights of franchise, cut our throats to subserve their own party, and seek to force upon us their corrupt tools, and violently invade the rights of American citizens; if it be treason to maintain inviolate our homes, our firesides, our wives, and our honor, from the corrupting, and withering blight of a debauched soldiery; if it be treason to maintain inviolate the Constitution and institutions of the United States, when nearly all the states are seeking to trample them under their feet—then indeed are we guilty of treason. We have carefully considered all these matters, and are prepared to meet the 'terrible vengeance' we have been very politely informed will be the result of our acts. It is in vain to hide it from you that the people have suffered so much from every kind of official that they will endure it no longer. It is not with them an idle phantom, but a stern reality. It is not as some suppose the 'voice of Brigham' only, but the universal, deep settled feeling of the whole community. Their cry is 'give us our constitutional rights; give us liberty or death.' A strange cry, indeed, in our boasted model republic, but a truth deeply and indelibly graven on the hearts of 100,000 American citizens by a series of twenty-seven years unmitigated, and unprovoked, yet unrequited wrongs. Having told you of this, you will not be surprised, that when fifty have been called to assist in repelling our aggressors, hundreds have volunteered; and when a hundred have been called, the number has been more than doubled; the only feeling is, 'don't let us be overlooked or forgotten.' And here let me inform you that I have seen thousands of hands raised simultaneously voting to burn our property rather than let it fall into the hands of our enemies. Our people have been so frequently robbed and despoiled without redress, that they have solemnly decreed that if they cannot enjoy their own property nobody else shall. You will see by this that it would be literally madness for your small force to attempt to come into the settlements. It would only be courting destruction. But say you: have you counted the cost? have you considered the wealth and power of the United States and the fearful odds against you? Yes, and here let me inform you that if necessitated we would as soon meet 100,000 as 1,000, and if driven to the necessity, will burn every house, tree, shrub, rail, every patch of grass, and stack of straw and hay, and flee to the mountains. You will then obtain a barren, desolate wilderness, but will not have conquered the people, and the same principle in regard to other property will be carried out. If this people have to burn their property to save it from the hands of legalized mobs, they will see to it that their enemies shall be without fuel; they will haunt them by day and by night. Such is in part our plan. The 300,000 dollars worth of our property destroyed already in Green river county is only a faint sample of what will be done throughout the territory. We have been thrice driven by tamely submitting to the authority of corrupt officials, and left our houses and homes for others to inhabit;

but are now determined that if we are again robbed of our possessions, our enemies shall also feel how pleasant it is to be houseless at least for once, and be permitted as they have sought to do to us,—

‘To dig their own dark graves,
Creep into them and die.’

You see we are not backward in showing our hands. Is it not strange to what lengths the human family may be goaded by a continued series of oppression? The administration may yet find leisure to pause over the consequences of their acts, and it may yet become a question for them to solve whether they have blood and treasure enough to crush out the sacred principles of liberty from the bosoms of one hundred thousand freemen, and make them bow in craven servility to the mendacious acts of a perjured, degraded tyrant.

You may have learned already that it is anything but pleasant for even a small army to contend with the chilling blasts of this inhospitable climate. How a large army would fare without resources you can picture to yourself. We have weighed those matters; it is for the administration to post their own accounts. It may not be amiss, however, here to state that if they continue to prosecute this inhuman fratricidal war, and our Nero would light the fires, and, sitting complacently in his chair of state, laugh at burning Rome, there is a day of reckoning even for Neroes. There are generally two sides to a question. As I before said we wish for peace, but that we are determined on having if we have to fight for it. We will not have officers forced upon us who are so degraded as to submit to be sustained by the bayonet’s point. We cannot be dragooned into servile obedience to any man.

These things settled, captain, and all the little preliminaries of etiquette are easily arranged; and permit me here to state that no man would be more courteous and civil than Governor Young, and neither could you find in your capacity of an officer of the United States a more generous and hearty welcome than at the hands of his excellency. But when, instead of battling with the enemies of our country, you come (though probably reluctantly) to make war upon my family and friends, our civilities are naturally cooled and we instinctively grasp the sword. Minie rifles, Colt’s revolvers, sabres and cannon may display very good workmanship and great artistic skill, but we very much object to having their temper and capabilities tried upon us. We may admire the capabilities, gentlemanly deportment, heroism and patriotism of United States officers; but in an official capacity as enemies, we would rather see their backs than their faces. The guillotine may be a very pretty instrument and show great artistic skill, but I don’t like to try my neck in it.

Now, captain, notwithstanding all this, I shall be very happy to see you if circumstances should so transpire as to make it convenient for you to come, and to extend to you the courtesies of our city, for I am sure you are not our personal enemy. I shall be happy to render you any information in my power in regard to your contemplated explorations.

I am heartily sorry that things are so unpleasant at the present time, and I cannot but realize the awkwardness of your position and that of your compatriots; and let me here say that anything that lies in my power compatible with the conduct of a gentleman, you can command.

If you have leisure I should be most happy to hear from you. You will, I am sure, excuse me, if I disclaim the prefix 'Rev.' to my name. Address: John Taylor, Great Salt Lake City.

I need not here assure you that personally there can be no feelings of enmity between us and your officers. We regard you as the agents of the administration only, in the discharge of a probably unpleasant duty, and very likely ignorant of the ultimate designs of the administration. As I left the east this summer you will excuse me when I say I am probably better posted in some of these matters than you are, having been one of a delegation from the citizens of this territory to apply for admission into the Union. I can only regret that it is not our real enemies that are here instead of you. We do not wish to harm you nor any of the command to which you belong, and I can assure you that in any other capacity than the one you now occupy, you would be received as civilly and treated as courteous as in any other portion of our Union.

On my departure from the states the fluctuating tide of popular opinion against us seemed to be on the wane. By this time there may be quite a reaction in the public mind. If so it may probably affect materially the position of the administration, and tend to more constitutional, pacific and humane measures. In such an event our relative positions would be materially changed, and instead of meeting as enemies we could meet as all Americans should, friends to each other, and united against our legitimate enemies only. Such an issue is devoutly to be desired, and I can assure you that no one could more appreciate so happy a result to our present awkward and unpleasant position than

Yours truly,

JOHN TAYLOR."

3. THE CORRESPONDENCE BETWEEN ADJUTANT GENERAL JAMES FERGUSON OF THE UTAH MILITIA, AND COLONEL P. ST. GEO. COOKE, UNITED STATES DRAGOONS

The correspondence as it appears in the *Deseret News* of Sept. 1st, 1858,—Colonel Cooke still being at Camp Floyd—was introduced by the following explanatory note to the *News' Editor*:

"Great Salt Lake City,
Aug. 20, 1858.

Editor *Deseret News*:—Having been requested by numerous friends to publish the accompanying letters, and obtaining the permission of Colonel Cooke to do so, I shall feel obliged by your insertion of them in the *News*.

Very respectfully
Yours in Christ,

JAMES FERGUSON."

"Great Salt Lake City, U. T.,
May 4th, 1858.

Sir:—In looking through files of eastern papers lately received, I saw a letter purporting to have been written by you, and dated at Camp Scott, Nov. 29, 1857.

In that letter you assert that the 'Mormons are a set of cowards, like all assassins and bullies.'

I am what is generally termed a 'Mormon,' and as such served my country honorably under your command. Your statements I consider most unwarranted, and a very ungenerous return for the sincere respect entertained for you by the Mormon Battalion, and, indeed, the whole 'Mormon' people.

I sincerely trust that you have it in your power to disclaim the authorship of that letter. If not, as an American citizen and a gentleman, spurning the epithets hurled at me in connection with a people of whom in the midst of their worst misfortunes I am proud, I ask you kindly and with respect, to make that apology which your high sense of honor will suggest is due.

I have the honor to remain,
Most respectfully, etc.,

JAMES FERGUSON,
Brig. Gen. Mil. U. T.

Adj. Gen. Lt. Col. P. St. Geo. Cooke,
*2d Dragoons, U. S. A.,
Camp Scott."*

"Head Quarters 2d Dragoons,
Camp Faulkner, June 8, 1858.

Sir:—I have this day received your letter of May 4th, respecting the authenticity of a letter, which, you say, was published in an eastern newspaper, 'purporting to have been written by (me),' and in which I 'assert the Mormons are a set of cowards, like all assassins and bullies.'

I wrote no such letter: I wrote no letter for publication. I never wrote or spoke such a sentence. I left Camp Scott November 26th, and did not return: the letter, you say, was dated there November 29th.

I never saw such a letter in the papers, or heard of its existence, until lately as a rumor from Salt Lake City.

I thank you for informing me of this mysterious forgery. My sense of the performances of the Mormon Battalion was expressed at San Luis Rey, in an order which you remember, and which stands printed in a senate document; and I can only refer to my connection with you on the battalion staff, as a satisfactory and pleasant one.

Very respectfully,
Your obedient servant,

P. ST. GEO. COOKE,
Lt. Col. 2d Drag's.

GEN. JAMES FERGUSON,
*Salt Lake City,
Utah Territory."*

CHAPTER CX

THE "UTAH WAR:" COLONEL THOMAS L. KANE'S ARRIVAL IN UTAH—NATURE OF HIS MISSION

IN THE midst of the Utah conditions described in the preceding chapter, Colonel Thomas L. Kane appeared upon the scene. He arrived in Salt Lake City on the 25th of February, 1858, coming from New York *via* Isthmus of Panama to Los Angeles, thence by the southern overland route.

THE HAZARDOUS JOURNEY

Though in a delicate state of health, Colonel Kane, even against the protests of his father, Judge John K. Kane¹—undertook this long and difficult journey, attended only by a single companion—a servant—and this in the interests of his friends, the Latter-day Saints. The last stage of the journey the colonel traveled in a heavy spring carriage, drawn by four horses. There was also a saddle horse for the use of the party. The colonel was accompanied only by three men, "Mormons," John Mayfield, George Clark, Joseph S. Tanner. At Cottonwood Springs, some twelve or fifteen miles from Las Vegas, the little party came upon the camp of Amasa M. Lyman and his family, and a few others, then *en route* for Utah. Elder Lyman had joined the party only a day or two before, having come from Salt Lake valley for the purpose of meeting his family and accompanying them to Utah. When Colonel Kane reached this friendly camp he was suffering greatly from the cold and the general hardship of the journey, and was glad to rest a day with these kindly disposed people and be refreshed by their hospitality, not the least item of which was the "home cooking" of "Sister Ly-

1. "He [Colonel Kane] acted under a deep conviction of duty against the advice of his excellent father, Judge Kane, and other members of his family." (Letter of Secretary John B. Floyd to Messrs. Powell and McCulloch, April 12, 1858, *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. 2, pp. 160-162).

man." A buffalo robe was cut up and made into leggings and hand and arm mufflers, the product of the skilled needle work of sister Rhoda Ann Lyman, wife of Francis M. Lyman, eldest son of Amasa M. Lyman, who was also in the family encampment. Thus refreshed and warmer clad to meet the bitter cold of the remaining desert journey, and with the elder Lyman added to his company, the colonel continued his journey to Salt Lake City, where he arrived as above stated.²

The colonel had traveled under the assumed name of "Dr. Osborne," a cognomen he preserved for some time even in Salt Lake City, except in the meetings of the leading authorities of the church, where he was known and treated as their old, familiar friend of earlier days at the encampments on the Missouri.

THE ANNOUNCEMENT OF THE COLONEL'S MISSION

A meeting was called on the evening of the day of the colonel's arrival, at which the presidency of the church and several of the leading apostles were present. He was introduced as "Dr. Osborne" by Joseph A. Young, and, according to Wilford Woodruff, who was present at the meeting, and made a somewhat extended record of the interview in his daily *Journal*—was very formal in opening, and announced himself as authorized to lay before these church leaders "most fully and definitely the feelings and views of the citizens of our common country, and of the feelings of the executive towards them, relating to the present position of officers of this territory, and of the army of the United States now upon your [our] borders." "After giving you the most satisfactory evidence in relation to matters concerning you now pending," continued the colonel, "I shall then call your attention and wish to enlist your sympathies in behalf of the poor

2. *Journal of Elder Francis M. Lyman*, entry for Feb. 12th, 1858; also *Woodruff's Journal and History of Brigham Young, Ms.*, entry for 25th Feb., pp. 214-215.

soldiers who are now suffering in the cold and snows of the mountains, and request you to render them aid and comfort, and to assist them to come here and to bid them a hearty welcome into your hospitable valley."³ He then turned to Governor Young and requested an interview with him alone, and begged the other gentlemen of the company to excuse his formality. President Young and the colonel retired accordingly and were absent about half an hour. But when they returned to the meeting no further reference was made that evening, nor apparently for some time afterwards, to the special mission of Colonel Kane. The rest of the evening was passed in pleasant and informal conversation. There was reference made to Captain Van Vliet's report of Utah conditions, Colonel Kane bearing witness that said report had done great good for the people of Utah. Replying to questions on the respective subjects, he stated that Dr. Bernhisel had taken his seat in congress; that all in congress were not "united in putting Utah down." The conversation turned upon the prosperity of the saints, upon the healthful appearance of the brethren present, the probable reasons for it, the labors of President Young, Colonel Kane's own health—his indifference to length of days⁴—which brought forth a disquisition on life by President Young, in which he incidentally said—"It is not in the power of the United States to destroy this people, for they [the United States] are in the

3. *Journal of Wilford Woodruff*, entry for 25th of Feb., 1858.

4. The colonel, by the way, seemed a bit morbid upon this subject, for he remarked in answer to President Young's suggestion that he (Kane) could now, doubtless, endure more than he could ten years ago, replied that he feared he could; and added: "I feel that my life don't pay, and I feel like going away as soon as it is the will of God to take me." (*Woodruff's Journal* account of the interview, entry for 25th Feb., 1858). This brought forth President Young's disquisition on life above referred to: "I know that to take this life as it is, and as men make it, it does not appear worth living; but I will tell you that when we see things as they are you will find life is worth preserving and blessings will follow our living in this life, if we do right. Now if God should say I will let you live in this world without any pain or sorrow, we might feel life was worth living, but this is not in the economy of God. We have to partake of sorrow, affliction, and death, and if we pass through the affliction patiently, and do right, we shall have a great reward in the world to come." (*Ibid*).

hands of God, and so are we; and he will do with us as he pleases, and if we do right God will preserve us."⁵ The president closed the interview by saying directly to Colonel Kane—

"Brother Thomas, the Lord sent you here, and he will not let you die. No! you cannot die till your work is done: I want to have your name live with the saints to all eternity. You have done a great work, and you will do a greater work still."⁶

MYSTERY OF THE KANE-YOUNG PRIVATE INTERVIEW

What passed in that thirty minutes private interview between Governor Brigham Young and Colonel Kane has never been definitely known. What plan of reconciliation the colonel proposed to Brigham Young was never explicitly revealed; except that from the colonel's remarks in the introduction of his mission to the council, as given in preceding paragraphs, it may be inferred that his plan contemplated not only the peaceful entrance of the army at Camp Scott into Salt Lake valley, but that it would come with the assistance of the saints, and the partaking of their hospitality. But whatever recommendations the colonel made, they evidently were not acceptable to President Young. And that was doubtless the reason why there was no further mention of the purpose of Colonel Kane's mission when the two returned to the council meeting after their half hour private conversation.⁷

5. This remark represents the whole policy of Brigham Young in this issue between the Church of Latter-day Saints and the government. It was both *Alpha* and *Omega* in his philosophy on the subject; he never deviated from it. Stating in public the latest news that had been received concerning the movements of the United States troops under Colonel Alexander, he said: "Well, we are in the hands of the Lord our God, and he will overrule things just as he pleases. Many want to know what the result will be, and they want the Lord to give them revelation. Get revelation if you can. * * * I know that all will be made right, and an All-wise, Overruling Providence will bring us off victorious. * * * God will fight our battles, and he will do it just as he pleases. * * * *God is at the helm.*" (Remarks at the "Old Tabernacle," October 4th, 1857. *Deseret News* of October 14th, 1857. He frequently repeats such expressions throughout this period—see *Ms. History and Journal of Discourses*, *passim*).

6. *Journal of Wilford Woodruff*, entry 25th of Feb., 1858.

7. Colonel Kane as "Dr. Osborne" was made welcome at the home of Elder W. C. Staines. Elder Staines had never met the colonel, being absent on a mission to the Indians during the latter's visit with the saints in their Missouri encampments in 1846. In a few days, however, he learned who his visitor was, and

"DOCTOR OSBORNE" INTRODUCED TO THE PEOPLE

On the 28th of February, President Young made public reference to the presence in the city of a "gentleman from Washington," a "Dr. Osborne," about whom the people were anxious to hear, and for that reason had gathered to the tabernacle in such large numbers, and at so early an hour (9:30 a. m.). "His errand," said President Young, "was of no particular moment to the people or himself [i. e. to President Young]; that he had come on his own responsibility and at his own expense, to see and learn the situation of affairs here, etc." After giving instructions in relation to the brethren who were going out into the mountains to stand in the defense of the people he again referred to "Dr. Osborne" and what he had recommended, saying: "Dr. Osborne had pleaded with him, in his own name, to stay the hand of the brethren against the army, for they were in our power."⁸

PRESIDENT BUCHANAN EXPLAINS KANE'S STATUS

This makes it clear that Colonel Kane did not come to Utah in any official capacity from the president of the United States to treat with the "Mormon" people, neither as "an ambassador from the chief executive of our nation," as unfortunately phrased in *Woodruff's Journal*,⁹ nor as "the agent

asked him why he had thought it necessary to be introduced into his home as "Dr. Osborne;" to which the colonel, according to Tullidge, answered: "My dear friend, I was once so kindly treated at Winter Quarters that I am sensitive over its memories. I knew you to be a good people then; but since, I have heard so many hard things about you, that I thought I would like to convince myself whether or not the people possessed the same humane and hospitable spirit which I found in them once. I thought, if I go to the house of any of my great friends of Winter Quarters, they will treat me as Thomas L. Kane with a remembrance of some services which I may have rendered them. So I requested to be sent to some stranger's house, as 'Dr. Osborne,' that I might know how the Mormon people would treat a stranger at such a moment as this, without knowing whether I might not turn out to be either an enemy or a spy. And now, Mr. Staines, I want to know if you could have treated Thomas L. Kane better than you have treated 'Dr. Osborne.'"

"No, colonel," replied Elder Staines, "I could not."

"And thus, my friend," added "Dr. Osborne," "I have proved that the Mormons will treat the stranger in Salt Lake City as they once did Thomas L. Kane at Winter Quarters."

8. *History of Brigham Young, Ms.*, entry for Feb. 28th, 1858, pp. 219-220.

9. Entry for 25th of February, 1858.

of the administration," as he is called by Tullidge,¹⁰—or as "a private envoy of the government;"¹¹ but, as stated by President Buchanan in his letter acknowledging the expressed intention of Colonel Kane, his purpose was to voluntarily serve "the Mormons, at his own expense, and without official position." Moreover, President Buchanan declared in the aforesaid acknowledgment—"I could not at the present moment, in view of the hostile attitude they [the 'Mormons'] have assumed against the United States, send any agent to visit them on behalf of the United States."¹² President Buchanan had little hope of the success of Colonel Kane's self-imposed mission; but he furnished him with a letter, since nothing could divert the colonel from his purpose, commending him to the favorable regard of all officers of the United States whom he might meet in the course of his travels, and who would no doubt, in the exercise of whatever discretion their instructions might permit, render him all the aid and facilities in their power in expediting the journey he had undertaken "of his own accord," to accomplish the pacific and philanthropic objects he had in view.¹³

AGAIN THE PRIVATE YOUNG-KANE INTERVIEW

Referring again to the fact that President Young did not accept the proposals of Colonel Kane for the settlement of the Utah difficulties, discussed in their private interview, and in further evidence of that fact, I quote what President Young said in August of 1858 in the presence of Wilford Woodruff, Heber C. Kimball, Joseph Young, "and several others:"

"President Young in conversing with the brethren, said, both good and bad men will act out what was in them; but God controls all the

10. *History of Salt Lake City*, p. 205.

11. Whitney's *History of Utah*, vol. i, pp. 666-7.

12. Letter of President Buchanan, *House Executive Documents*, 35th Congress, 2nd Session, 1858-9, pp. 162-3. Later, of course, the president changed that attitude and sent Peace Commissioners to Utah, as we shall see.

13. *Ibid*, p. 163.

acts of men. When Colonel Kane came to visit us, he tried to point out a policy for me to pursue. But I told him I should not turn to the right or left, or pursue any course, only as God dictated. I should do nothing but what was right. When he found that *I would not be informed*, only as the Spirit of the Lord led me, he felt discouraged and said he would not go to the army. But finally, he said, *if I would dictate he would execute*. I told him that as he had been inspired to come here, he should go to the army and do as the Spirit of the Lord led him, and all would be right. He did so, and all was right. He thought it very strange that we were not afraid of the army. I told him we were not afraid of all the world; if they made war upon us the Lord would deliver us out of their hands, if we did right. God controls all these matters."¹⁴

COLONEL KANE AT CAMP SCOTT

It was in this spirit then that Colonel Kane went to Camp Scott after remaining in Salt Lake City from the 25th of February to the 8th of March. President Young furnished him an escort of horsemen and gave him a letter "accrediting him as a negotiator in the existing difficulties."¹⁵ The colonel's "Mormon" escort accompanied him to the Little Muddy, within about twelve miles of Camp Scott, from which point he proceeded alone, arriving at the camp on the evening of March the 12th. His entrance into Camp Scott is thus described by the writer for the *Atlantic Monthly*:

"On the previous evening,—March 12th,—the monotony of the camp had been unexpectedly disturbed by the arrival, from the direction of Salt Lake City, of a horseman completely exhausted by fatigue and cold, who proved to be no other than Mr. Kane, whose mission to the 'Mormons' by way of California was at that time totally unknown to the army. The next morning he introduced himself to the governor [i. e. Cumming], was received as his guest, and remained in conference

14. *History of Brigham Young, Ms.*, entry for 15th August, 1858, p. 927. The colonel, it seems, asked Elder Heber C. Kimball "what would be the result if he [Colonel Kane] spoke against the Mormons." Elder Kimball answered him by saying that "his mind would become barren and he could not do any good, but would droop and die;" but as long as he would "stand up for this church" he would "be fruitful and feel well." (*Ibid*, pp. 926-8). Later President Young in the course of an interview with Governor Cumming referred to this private interview with Colonel Kane and said: "I told Colonel Kane, when he undertook to counsel us, what I should do last spring; that he did not know me; that I would take no man's counsel upon the face of the earth, but would follow the counsel of God." (*History of Brigham Young, Ms.*, entry for April 24th, 1859, pp. 373-380).

15. Utah Expedition, *Atlantic Monthly*, for April, 1859, p. 479. The writer for the *Atlantic* mentions such a letter being exhibited in connection with the letters Kane carried from President Buchanan. I find no reference to such letter in "Mormon" church annals.

with him throughout the day. What was the character of their communication is unknown, except by inference from its results."¹⁶

It was quite generally held that it was Colonel Kane's studied intention to ignore the army and its commander in his negotiations for the pacification of the territory, and its reconciliation with the federal administration.¹⁷

In pursuance of this intention it is said that he ignored the challenge of the sentry of the picket post he first encountered; and when the sentry, receiving no answer to his challenge, fired upon him, the colonel "broke the stock of his rifle over the sentry's head." When surrounded by the excited post, "with characteristic politeness, as well as diplomacy, [he] requested to be conducted to the tent of Governor Cumming," which was done, and Governor Cumming received him cordially.

One must needs think an American picket post of the regular army had peculiar notions of a picket's duty, if it would take an entire stranger entering their lines with violence in the manner described, to a civil officer residing in the camp, and not before the proper military commander.

THE SENTRY CHALLENGE AND THE BROKEN GUN STOCK

The story so far as I know rests upon the narrative of Tullidge,¹⁸ who cites no authority for the incident, neither do any of those writers who follow him. That some unpleasantness with the picket guard took place, however, is

16. Utah Expedition, *Atlantic Monthly*, April, 1859, p. 479.

17. See Tullidge, *Life of Brigham Young*, 1877, p. 292; also *History of Salt Lake City*, 1885, p. 205. This idea seems to have originated with Tullidge and followed by Linn, (*Story of the Mormons*, p. 503), et al. Even the writer in the *Atlantic Monthly* conveys this impression by saying that Colonel Kane exhibited letters from President Buchanan and from President Young, to Governor Cumming and Judge Eckles, but "to General Johnston he showed nothing; nor did the governor, to the knowledge of the camp, acquaint either that officer or any other person with the purport of his business." (*Atlantic Monthly*, April, 1859, p. 479). The *Atlantic Monthly* plunges still further into error by saying later: "Considering that he [Kane] was within the guard lines of a military encampment, in a country where a state of warfare existed, it was perhaps too great forbearance on the part of the general (Johnston was made brevet general during the winter, 1857-8) not to have required to be informed of his business, since he, himself volunteered no explanation." (*Ibid*, p. 481).

18. *History of Salt Lake City*, Tullidge, p. 205.

quite certain from correspondence between Johnston and Kane, preserved in official documents; but whether the above is the correct version of it or not may be matter of some doubt.

Two days after his arrival in Camp Scott, Colonel Kane addressed a letter to Colonel Johnston calling attention to a report in the camp that a horseman or group of horsemen, discerned at a considerable distance—eleven or twelve miles from Fort Bridger, on Muddy Creek—were approached by a party of soldiery of Johnston's command, and, without notice, fired upon. Colonel Kane wrote to inform Johnston, if he was not already aware of the fact, that there might be "a person or persons in waiting" for communication from him respecting certain proposals that he had submitted to Colonel Johnston from Brigham Young with reference to cattle and flour to be sent to the army—mentioned later in the text of this *History*—and he therefore asked Colonel Johnston "to issue such orders as will prevent unnecessary bloodshed." F. J. Porter, assistant adjutant general makes a note on Colonel Kane's letter that no such party under the circumstances mentioned had been fired upon. Colonel Johnston addressed a note to Colonel Kane, saying: "I regret that the party in question, if a portion of your escort, did not come in with you, or was not reported to me. In that case their safety would have been assured to them; and I now have to say to you, if the person or persons alluded to can be communicated with by you, or you can inform me where they can be found, I will give such orders as will insure their protection, and take care that they suffer no molestation." In a second letter to Johnston, Colonel Kane gave a description of his guide to the vicinity of Camp Scott—Lewis Robinson—and said of Colonel Johnston's strict orders respecting armed persons or parties approaching the camp: "But that it would be out of place on my part, I would express my regret at the strictness of your orders." He also said that he had been

informed that he would need a "countersign" to enable him to pass sentinels, etc., when desirous to "communicate" with those outside the camp, who might be waiting for his communications. "Will you be good enough to give me what you think I should be provided with," he concluded.¹⁹

It may have been the incidents named in this correspondence that gave rise to Tullidge's version of Colonel Kane's alleged adventure. It at least seems strange, however, that the sentry challenge and the "broken gun stock" gets no mention in this correspondence.

GENERAL JOHNSTON'S VIEWS ON THE UTAH SITUATION

Of course Colonel Kane's mission had primarily to do with the civil authorities appointed for Utah, and then residing in Camp Scott, *viz.*, Governor Cumming and Chief Justice Delaney R. Eckles; but, as we shall presently see from correspondence between Colonel Johnston and Colonel Kane, if the former took no part in the negotiations for the settlement of Utah's affairs, in which Colonel Kane was so prominent a factor, it was because he stubbornly refused to become a party to the consideration of those matters Colonel Kane had to propose. Unconditional submission to the proclamation previously issued by Governor Cumming was the only basis of settlement, from his viewpoint, that could be made that would be honorable to the government. Previous to Colonel Kane's advent into Camp Scott, namely, date of January 20th, 1858, Colonel Johnston had written Major Irvin McDowell, assistant adjutant general of the United States army, as follows:

"Knowing how repugnant it would be to force these people into unpleasant relations with the federal government, I would, in conformity with the views also of the commanding general, on all proper occasions have manifested in my intercourse with them a spirit of conciliation, but I do not believe that such consideration for them would be

19. The correspondence will be found *in extenso* in *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pp. 88-91.

properly appreciated now, or rather would be wrongly interpreted; and, in view of the treasonable temper and feeling now pervading the leaders and a greater portion of the Mormons, I think that neither the honor nor the dignity of the government will allow of the slightest concession being made to them. They should be made to submit to the constitutional and legal demands of the government unconditionally. An adjustment of existing difficulties on any other basis would be nugatory. Their threat to oppose the march of the troops in the spring will not have the slightest influence in delaying it; and if they desire to join issue, I believe it is for the interest of the government that they should have the opportunity."²⁰

Knowing that Colonel Johnston entertained these stern views with reference to Utah affairs, the reader will better understand how he could not enter into the negotiations Colonel Kane had to propose; and how that gentleman, learning Colonel Johnston's uncompromising attitude, would soon come to leave him outside of consideration in pursuing the object of his mission.

THE TENDER OF UTAH "BEEF" TO THE ARMY

The day after the departure of Colonel Kane from Salt Lake City, President Young sent by special express—his son, Joseph A. Young, and George Stringham—a letter, saying that he had just learned through the "southern Indians" that the troops of the "Expedition" were "very destitute of provisions." A Mr. Gerrish, formerly a merchant of Salt Lake City, supposed to be detained at Camp Scott by Colonel Johnston, had quite a herd of cattle in Salt Lake valley—about two hundred head,—a portion of which were tolerable good "beef." As Mr. Gerrish would doubtless like a good market for his herd, and President Young knew no better market than that afforded by the United States army, he proposed sending out this herd, that Mr. Gerrish might dispose of it to the army who surely needed the beef. President Young in this letter also declared his intention to send out fifteen or twenty thousand pounds of flour to the army, "to which they will be made perfectly welcome, or pay for, just as they choose," said the communication. All this President Young

20. *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, p. 44

proposed to forward "in a few days," as soon as the arrangements could be made and the snow would admit of such a shipment.²¹ This proposition Colonel Kane early submitted to the colonel commanding the "Expedition" who answered curtly by letter on the 15th of April, saying that President Brigham Young was "not correctly informed with regard to the state of the supply of provisions of this army." "There has been no deficiency," he declared, "nor is there any now. We have abundance to last until the government can renew the supply." And then he adds with some show of feeling—"Whatever might be the need of the army under my command for food, we would neither ask nor receive from President Young and his confederates any supplies while they continue to be enemies of the government." He denied that Mr. Gerrish had been detained in his camp, that as a matter of fact that gentleman had started for the eastern states some weeks before, and had been at liberty, as had every other citizen, to go wherever he pleased except to Salt Lake City, or some other position occupied by an armed body of "Mormons" opposed to the government, all intercourse with the enemy being prohibited by the 56th and 57th articles of war. If Mr. Gerrish desired his cattle sent to him, he would interpose no obstacle, beyond stipulating that they should be delivered on the Muddy, "ten miles in advance of this camp"—i. e. Camp Scott. "However unfortunate the position now occupied by that portion of the citizens of Utah belonging to the sect of Mormons," he concludes, "it is of their own seeking, and it is one from which they can be relieved by the mere act of obedience to the proclamation of Governor Cumming. Having the question of peace or war under his own control, President Young would, should he choose the latter, be responsible for all the consequences."²²

21. *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, pp. 87-8.

22. Johnston's letter to Colonel Kane, 15th of April, 1858, which he asks Colonel Kane to communicate to President Young, *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, p. 88.

GENERAL JOHNSTON GIVEN FULL OPPORTUNITY TO PARTICIPATE IN
PEACE NEGOTIATIONS

To this Colonel Kane answered by note consenting, "at the request of his excellency, Governor Cumming," to bear the reply the colonel had requested him to communicate to President Young. "I fear," said Colonel Kane, "that it must greatly prejudice the public interest to refuse Mr. Young's proposal in such a manner at the present time. *Permit me, therefore, to entreat you, most respectfully, to reconsider it; and, adverting to my offer made you orally on Sunday afternoon (March 14th—two days after Kane's arrival in camp), ask permission to impart to you additional information with respect to the posture of affairs at Salt Lake City, if you can encourage me to believe that by so doing I may yet hope to modify your views.*" He begged not to hasten Colonel Johnston's determination as to the proposition made—desired evidently that he might have time to think matters over; but no further consideration was given to Colonel Kane's entreaty.²³ It is evident from this correspondence that Colonel Kane did not fail to give General Johnston an opportunity to enter into negotiations with himself and the civil officers of the territory in the settlement of Utah affairs.

THE KANE-JOHNSTON DUEL CHALLENGE

Following this correspondence an episode occurred at Camp Scott which tended further to strain the relations between Generals Kane and Johnston. An invitation to an officers' dinner was dispatched from headquarters to Colonel Kane—regarded by General Johnston's friends as in itself a great compliment in a camp where rations were so abridged. The orderly entrusted with the delivery of the invitation "whether maliciously or not it does not appear," says the *Atlantic Monthly* writer, "pretended to have mistaken his

23. The whole correspondence alluded to in the text will be found in *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, pp. 87-91.

directions and proceeded to place him under arrest." "The mistake, when discovered," continues the writer here followed, "was of course immediately rectified."²⁴ Colonel Kane, however, was convinced that the arrest was a studied insult, and wrote a challenge to Colonel Johnston, and "applied to a gentleman from Virginia to act as his second." The gentleman declined to act, and Colonel Kane's action coming to the knowledge of Judge Eckles, the latter informed Governor Cumming that he had ordered the United States marshal to arrest all the parties concerned, "in case another step should be taken in the affair." The *Atlantic Monthly* writer declares that it was not until some time afterwards that these transactions came to the knowledge of General Johnston.²⁵

GOVERNOR CUMMING TO ENTER SALT LAKE WITHOUT MILITARY ESCORT

After a stay of about three weeks at Camp Scott, Colonel Kane was successful in persuading Governor Cumming to go to Salt Lake City without a military escort, and trust to the people receiving him as governor. Since the military escort, according to certain of the church leaders, was the most obnoxious feature connected with the coming of the new civil officers; and that had they come without a military escort they would have been received, the action of Colonel Kane would put these protestations to the test.²⁶

Undoubtedly Colonel Kane on this point felt assured, and may have received such advices as warranted him in urging

24. *Atlantic Monthly*, April, 1859, p. 481.

25. *Ibid*, p. 481.

26. See *History of Brigham Young, Ms.*, entry of Oct. 28th, 1857, p. 750, *et passim*. Also see Resolution of territorial legislature, adopted 21st Dec., 1857, and signed by all members of the legislature: "Nor shall any persons appointed to office for Utah by the present administration either qualify for or assume, and discharge, within the limits of this territory, the functions of the offices to which they have been appointed, so long as our territory is menaced by an invading army, (for such an army cannot have been sent to protect either the citizens or the passing emigration, but is manifestly sent to aid in trampling upon American liberty), nor so long as such appointees are so pusillanimous as to require a numerous armed force to attend their beck to enable them to carry out the traitorous designs concocted for depriving American citizens of their indefeasible and vested rights." From which it may be justly inferred, that officers coming without a military escort would be admitted.

such action either before leaving Salt Lake City, or later through communication with Utah leaders after his arrival at Camp Scott, for he met on several occasions those who had accompanied him as an escort, and one absence of an entire day is noted by the *Atlantic Monthly* writer, "in order to hold a secret interview with a party of Mormons who had come into the vicinity of the camp."²⁷

Colonel Kane, however, was only successful in persuading Governor Cumming to try this experiment. Judge Eckles was unwilling to accept the proposition. On the 3rd of April, Governor Cumming announced his intention to Colonel Johnston of going to Salt Lake in company with Colonel Kane, without a military escort; and two days later he was on the way.

THE FIRST ATTEMPTED FEDERAL ACTION AGAINST "POLYGAMY"

The day of the governor's departure the "district court" commenced its spring term at Camp Scott, in Green River county. In his charge to the "grand jury" the judge is said to have been explicit on the subject of polygamy. The incident is important as being the first effort to apply what was alleged to be "existing law" against this feature of the marriage system of the Church of the Latter-day Saints.

The precise language of the charge to the jury on the subject of polygamy is given as follows:

"It cannot be concealed, gentlemen, that certain domestic arrangements exist in this territory destructive of the peace, good order, and morals of society,—arrangements at variance with those of all enlightened and Christian communities in the world; and sapping as they do the very foundation of all virtue, honesty, and morality, it is an imperative duty falling upon you as grand jurors diligently to inquire into this evil and make every effort to check its growth. It is well known that all of the inhabited portion of this territory was acquired by treaty from Mexico. By the law of Mexico polygamy was prohibited in this country and the municipal law in this respect remained unaltered by its cession to the United States. Has it been altered since we acquired it? After a most diligent search and inquiry, I have not been able to find

27. *Atlantic Monthly* for April, 1859, p. 481.

that any such change has been made: and presuming that this law remains unchanged by legislation, all marriages after the first are by this law illegal and void. If you are then satisfied that such is the fact, your next duty is to inquire by what law in force in this territory are such practices punishable. There is no law in this territory punishing polygamy, but there is one, however, for the punishment of adultery; and all illegal intercourse between the sexes, if either party have a husband or wife living at the time, is adulterous and punishable by indictment. No consequences in which a large proportion of this people may be involved in consequence of this criminal practice will deter you from a fearless discharge of your duty. It is yours to find the facts and to return indictments, without fear, favor, affection, reward, or any hope thereof. The law was made to punish the lawless and disobedient, and society is entitled to the salutary effects of its execution."²⁸

It is quite evident, however, that neither the jurists nor the legislators of the United States regarded this reasoning as sound, nor that of the writer in the *Atlantic Monthly* who includes the "common law," as well as the old Spanish law, as constituting a possible basis of jurisprudence in the territory on this subject of marriage—since before attempting any action against the plural marriage relations countenanced by the "Mormon" church, they considered special enactments of congress for the territories necessary; and at no time invoked either the old Spanish law or the "common law" against this institution of marriage. Besides, had either the "common" or old Spanish law been invoked against the plural marriage features of the "Mormon" system, the question would still remain as to whether the "bigamy" or "polygamy" of those laws described the "plural wife system" of the New Dispensation, a question already considered and the distinction drawn.²⁹

Furthermore the United States statutes at large on the judiciary of territories provided—

"And be it further enacted, that the judges of the supreme court in each of the territories, or a majority of them shall, when assembled at their respective seats of government, fix and appoint the several times

28. *Atlantic Monthly*, for April, 1859, pp. 481-2.

29. See this *History*, chapter xlv, footnote 15.

and places of holding the several courts in their respective districts, and limit the duration of the terms thereof."³⁰

There had been no meeting of the three judges at the territorial capital and the division of the territory into judicial districts, and the assignment of judges to the respective districts. In none of these respects had Judge Eckles complied with the law, nor could he under circumstances then obtaining in the territory; and he had not qualified by taking the oath of office himself, nor did he until July 19th, 1858, when he appeared before Probate Judge Elias S. Smith and took the oath. In such fashion were things done by the federal officials sent to Utah. The judge was in overhaste to begin prosecutions³¹ of the class of offenses at which he aimed.

No indictments for polygamy were returned by the "grand jury" under these instructions, nor were any proceedings had upon the indictments for treason previously found against Brigham Young and sixty of his associates; and this doubtless because of the unsettled state of things in the camp and in the territory, and what must have been the consciousness of the illegality of the procedure by the officers of the Camp Scott court. "The business of the court," says the chronicle here followed, "was restricted to such crimes as larceny and assault and battery, among the heterogeneous mass of camp followers."³²

30. *United States Statutes at large*, ch. cxxiv, sec. v.

31. See *History of Brigham Young, Ms.*, for further consideration and discussion, entry for July 24th, p. 798.

32. *Atlantic Monthly*, April, 1859, p. 482.

CHAPTER CXI

THE "UTAH WAR:" CHANGE IN POLICY OF THE CHURCH LEADERS— FLIGHT FROM UTAH SETTLEMENTS DETERMINED UPON

MEANTIME important changes had been going on in Salt Lake City—changes in mental attitude on the part of the church leaders towards the situation in Utah that were of great importance.

A "MORMON" "COUNCIL OF WAR"

Although the plans Colonel Kane suggested to President Young were seemingly not acceptable to him, yet the president's contact with the view entertained in the east, as represented by the colonel—since he could rely upon that representation—doubtless had its effect upon his mind. "A council of war" was held on the 18th of March, in the Historian's Office, at which there were present the first presidency, eight of the twelve apostles, and thirty of the leading military officers of the territory. The conclusion in this council was to abandon the idea of armed resistance to the United States forces. The minutes of the council close with the following paragraph: "President Young's plan was to go into the desert and not war with the people [i. e. of the United States], but let them destroy themselves."¹ The following Sunday the temper of the meeting at the tabernacle was markedly different than such meetings had been. It was flight now, rather than fight. The regular service of the day was converted into a special conference. President Young "spoke of the situation of affairs at this crisis and presented the policy which he intended to pursue, which was to remove the grain and the women and children from the city and then, if needs be, burn it and lay the country waste."² He presented

1. *History of Brigham Young, Ms.*, 1858, p. 266.

2. *History of Brigham Young, Ms.*, entry for Sunday, 21st of March, 1858, pp. 269-272.

the view that the Republican party had succeeded in disgracing the administration at Washington (presumably by forcing the Democratic administration into this anti-“Mormon” attitude—by the “twin relic” plank of their platform—); and that as soon as the administration could withdraw the troops it had sent to Utah, and save the credit of the nation, it would do so; and if in pursuance of such developments the saints were obliged to lay waste Salt Lake City, it would be for their good; and he predicted that in less than twelve years, they would have better homes than at the present. It was declared to be the intention to give those who had never before been driven from their homes the honor of forming an advance company to lead the way into the desert and find a suitable place of settlement. Five hundred families were called for to form this advance company.³

Of course, as we have seen, destruction of their settlements and flight to the mountains and deserts had been coupled with the proposed resistance to the entrance of the United States army from the first, in the event of the army being successful in forcing its way into Salt Lake valley; but the move as now proposed was to proceed without first resisting the army, and it is evident from the amount of urging and defense that was made respecting the proposition that it did not at first meet with universal approval.

PRESIDENT YOUNG'S MISCONCEPTION OF A PLACE OF REFUGE

President Young seems to have conceived the idea that in the southwestern part of the then territory, hundreds of miles removed from all lines of travel, there was a country of alternating desert and fertile valley, with long distances from water to water, larger in area than any of the eastern states, with but few Indians inhabiting it, and its fertile portions capable of sustaining a population of 500,000.⁴ It

3. A rising vote of the congregation showed that three-fifths of the congregation were of this class. (*Ibid.*, p. 271).

4. See *Pamphlet of Instruction and Remarks* made up from the Conference of the 21st of March, p. 7. Much of it is quoted by Stenhouse in *Rocky Mountain Saints*, pp. 384-6.

was to this region that he declared it to be his intention to remove and the people could follow him should they so elect.

Four years before Bishop David Evans, of Lehi, had been called upon to explore for that region, but he had failed to find the country described. President Young felt that he had not penetrated far enough into the interior desert waste to find the succession of watered areas, and was not satisfied with his efforts. Later, namely in March, 1858, he sent out George W. Bean from Provo, and Colonel W. H. Dame and Nephi Johnson from Parowan, to make a more extended exploration. These parties were made up chiefly of men from the southern settlements. Bean's company numbered one hundred and four persons, and were equipped for making settlements, teams, wagons, agricultural implements, seeds of various kinds, etc. They moved down the Sevier river some distance southward, thence went southwestward, crossing alternating low mountain ranges and desert valleys, with occasionally very limited fertile spots, but few places suitable for settlement. In the White river valley, about one hundred and fifty miles from Cedar Springs, however, they left forty-five of their number to open a farm. The remainder of the company divided and explored northwest and southwest through various valleys, but such springs and small streams as they found were too far north for settlement under the present instructions. Turning southward they went over the "rim of the basin" to the headwaters of the Muddy river, and in Muddy river valley met with the Dame and Johnson party—numbering between sixty and seventy men. Westward from this valley they learned from Indians met with that there was a great desert—doubtless the Ralston, the Great Admargosa and Death Valley Deserts—which observation from the mountain range overlooking it confirmed. From the Muddy river valley the whole body of explorers divided, Dame taking with him twenty-eight men from Bean's party for the purpose of locating them in some suitable valley south-

ward if one were found; while the remainder of the party under Bean started eastward for Beaver City, at which place they arrived on the 31st of May. In all the Bean party had traveled about eight hundred miles; they had crossed seven ranges of mountains and as many valleys, the latter ranging from ten to thirty miles in width, and from fifteen to one hundred miles in length; but they found no such place for habitation for the people as President Young had hoped for; but confirmed the correctness of Bishop David Evans' previous report.⁵

The Dame party was to explore the country north and west of Parowan. If they found gold they were to keep it secret. The Dame party, noticed already in connection with Bean's—established a "Desert Camp" about one hundred and fifty miles west of Parowan, where they began farming, but it was soon afterwards abandoned.⁶

It should be observed that Bean's report of his exploring journey and its discouraging tenor was not made to President Young until the 7th of June, by which time nearly all the exodus from the northern settlements had already arrived as far south as Provo.

This question of the objective point in the great "move south" of 1858, may thus be said to be disposed of. Some had thought that the state of Sonora in the republic of Mexico, was the point of destination, and it is so mentioned in some of the letters of the period, where the matter is discussed at length.⁷ There was also during the month of May a proposition made by the representatives of one Colonel Kinney of California,—Messrs. John B. Cooper and James M. Harbin—to sell to Brigham Young 30,000,000 acres of land on

5. See Bean's Report of his exploring party in *History of Brigham Young, Ms.*, entry for June 7th, 1858, pp. 610-616; also *Ibid*, p. 426, where the correctness of Evans' Report is confirmed.

6. *History of Brigham Young, Ms.*, p. 724.

7. See letter of John Kay to Elder Thomas Williams, copied into *History of Brigham Young, Ms.*, May, 1858, pp. 502-5; also *Millennial Star*, vol. xx, p. 475; *New York Herald* of June 23, 1858, *St. Louis Intelligencer* of Nov. 23, 1858, copied into the *Deseret News* of Feb. 17, 1858.

the Mosquito coast in Central America. The region was a narrow coast strip extending from the 11th degree of north latitude, northward along the east coast of the states of Nicaragua and Honduras for several hundred miles. The British government had exercised a protectorate over the country for some time, but this was now resigned to Honduras. President Young, however, was not favorably impressed with this proposition, and the more vigorously it was urged upon his attention the firmer seemed to grow his determination to remain in Utah.⁸ "I would not go to that country," said President Young to Mr. Cooper, "if it was covered fifteen inches deep with gold, and we owned it all. We are here, and here we will stay in this territory."⁹ It appears also that a Colonel Clarkson, Major Brookie and Judge Cliff also urged the claims of the Mosquito country upon the attention of President Young, but to no purpose.¹⁰

Following that conference meeting of the 21st of March, mentioned in a previous paragraph came a half veiled declaration of intention of flight and destruction of Salt Lake City, and other northern settlements, under the caption—

"UNCIVILIZED MODE OF WARFARE"

"At a special conference held in the tabernacle in this city, on the 21st inst., (March) it was unanimously agreed to abandon 'Sebastopol' to our enemies, without the consent of Lord Raglan, if they persist in carrying out the unconstitutional policy adopted by the present administration."

The significance of the historical allusion will be appreciated when the dispatch of the Russian general who evacuated Sebastopol is recalled: "It is not Sebastopol which we have left to them [i. e. to the allied forces], but the burning ruins of the town, which we ourselves set fire to, having maintained the honor of defense in such a manner that our grandchildren may recall with pride the remembrance of it,

8. *History of Brigham Young, Ms.*, 1858, pp. 560-566, 570; also pp. 588-9.

9. *Woodruff's Journal, Ms.*, entry for May 26, 1858.

10. *Ibid*, entry for May 30.

and send it on to all posterity. * * * The Russians had made of Sebastopol another Moscow.”¹¹

AN INDIAN MENACE TO THE SAINTS

About this time ugly rumors were rife as to the attitude of the Indian tribes of the mountains and deserts with reference to their “Mormon” neighbors. In March a friendly Indian reported that their chief had been to the “soldiers’ camp,” that the commander there had said that Brigham had killed many of the Indians’ children, and he would now kill them [i. e. the “Mormons”]; that officers had said that Joseph Smith was a great captain, and they had got his head off easily. Brigham Young was a small captain and they would soon cut off his head.¹²

The settlement of the saints at Limhi, on Salmon river, had been broken up by an attack of the Bannock tribe of Indians on the 25th of February; instigated, it was reported at the time, and believed, by a mountaineer, of the name of John W. Powell, and other white men who were in the vicinity from Camp Scott purchasing beef cattle for the “Expedition.” Two settlers, James Miller and George McBride, were killed, and five others wounded. Two hundred and twenty-five head of horses were driven away. The party of Indians making this attack numbered about two hundred and fifty. The settlers had lived in peace with these Indians from the commencement of the settlement in 1855. Many acts of kindness had been extended to them by the citizens, nor had there been any misunderstanding between them until the arrival of this cattle-purchasing party from Camp Scott. “From the camp of this detachment,” according to the statement of Chief Snagg of the Shoshones, a white man named J. W. Powell, came to the lodges of the Bannocks and Shoshones, two days previous to the killing referred to, and in-

11. *History of Our Own Times*, Justin McCarthy, Am. Ed., vol. ii, pp. 264-5.

12. *History of Brigham Young, Ms.*, entry 23rd March, pp. 273-4.

cited the Indians, giving them his aid and participation in the affair.¹³

Early in March, Andrew Cunningham with two hundred men was sent to the Salmon river settlement to give safe conduct to the colony through the Indian country to Salt Lake City. He was absent about one month on the expedition, which covered eight hundred miles of travel. The Indians in the vicinity of the settlement were greatly grieved at the departure of the saints.¹⁴ An express of ten men led by B. F. Cummings, sent in advance on the return journey, to bring news of the Limhi colony's rescue, were ambushed and fired upon by the Bannock Indians, and one of their number, Baily Lake, was killed, and several horses and packs taken by the Indians.¹⁵

Colonel N. V. Jones reported that several brethren who had been to the camp of Ben Simons, the Cherokee Indian trader, on Bear river, were told at three different times that Colonel Johnston had offered them \$150 for every "Mormon" they would bring to him, and \$1,000 for Lot Smith.¹⁶

ALLEGED "EXPEDITION'S" EFFORTS TO INCITE INDIANS AGAINST THE SAINTS

In January, in consequence of great anxiety for the safety of Captain Marcy, Colonel Johnston permitted Dr. Hurt, the Indian agent, to cross the Uintah range of mountains in company with four Pah-Utah Indians to the Indian

13. See statement of W. H. Hooper, secretary *pro tem* of the territory of Utah, addressed to Governor Cumming, under date of April 13th, 1858, *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, pp. 74-5. "This information," Mr. Hooper says, "I derived from parties present at the scene of the difficulties, and it is confirmed by affidavits on file with the probate court of this (Salt Lake) county." (*Ibid.*) Powell and his associates, B. F. Ficklin and Cravan Jackson, charged with this procedure, denied by affidavit before Judge Eckles at Camp Scott, that they participated in the affair. (See *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, pp. 79-82; also *Deseret News* of April 14th, 1858).

14. See *History of Brigham Young, Ms.*, for 1858, pp. 231, 302, 338, 341. The fact of the presence of the white man Powell with the Indians in their attack upon the Salmon river settlement is sustained by the affidavit of Thos. S. Smith, president of the mission, who was wounded in the assault upon the settlement. (*Ibid.*, p. 367).

15. *History of Brigham Young, Ms.*, 1858, p. 302.

16. *Ibid.*, pp. 340-1.

villages located on the Uintah river. "It was his intention, in case of need," says the chronicle, "to employ these Indians to warn Captain Marcy of danger and afford him relief. It proved to be unnecessary to do so, and Dr. Hurt returned in April."¹⁷ This was doubtless what Dr. Hurt was authorized to do by the colonel; but what he really did was the following: Indian messengers were sent to various tribes urging them to take sides with the "soldiers" against the "Mormons" in the spring, and rumors were current among many bands that they would be employed by the "soldiers" to "drive off the cattle and horses of the Mormons as soon as the passes to Bridger were practicable."¹⁸ From Uintah Dr. Hurt "sent frequent messages to have all the Utahs come out and join in the onslaught upon the Mormons." A number of such messages were sent to Chief Arapeen of the Utahs, offering him large presents if he would join the troops with his people for this purpose. "These items," writes Secretary *pro tem*, W. H. Hooper, to Governor Cumming, "though but reports from Indians, are so substantially corroborated by the facts, that I felt myself bound in the discharge of my duty, to submit them."¹⁹

In addition to the incidents here related, Indian depredations also occurred in Rush valley and in the north of Utah county. About the first of March, a mixed band of Shoshones and Utahs, led by Chief Little Soldier drove off a number of cattle and horses owned by the settlers, resulting in the loss of fifty head of horses and mules; and

17. *Atlantic Monthly*, April, 1859, p. 479.

18. Letter of W. H. Hooper to Governor Cumming, *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, p. 74. "We learn from the Indians that emissaries are endeavoring to entice them, in the south part of the territory, to violence, with some success. Indians say they are to have a price for 'Mormon' scalps." (Letter of George A. Smith to T. B. H. Stenhouse, in *History of Brigham Young, Ms.*, May 11th, 1858, p. 523).

19. Hooper's second letter to Governor Cummings on this subject, *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, p. 76. From the Indians in the south came the report that they were to receive a "price for Mormon scalps." (Letter of George A. Smith to T. B. H. Stenhouse, *History of Brigham Young, Ms.*, May, 1858, p. 523). Also again, a letter is read from J. L. Lee, residing in the south, in which the same declaration is made. (*Ibid*, p. 524).

when Mr. Hooper's herdsmen were collecting his cattle for the purpose of driving them to Salt Lake valley for safety, the Indians charged and fired upon them, but without harmful results.

Early in April, the 7th, another raid was made by the Utahs upon the settlers' herds in the north of Utah county, and about one hundred head of horses and mules driven away. This time the raid was led by Tintic, one of the chiefs who had accompanied or followed—early in the preceding winter—Dr. Hurt in his flight to Fort Bridger. The Indians in explanation of their course, declared that "a big captain among the white men at Bridger had employed them to steal the cattle and horses of the Mormons and drive them to them." "It is a well known fact," adds Mr. Hooper, "that communication between this band and Fort Bridger has been kept up all winter."²⁰

"The results of these depredations," writes Mr. Hooper to Governor Cumming, "has been a compulsory abandonment of our frontiers, and a consolidation of all our settlements, forcing us to keep out large detachments of military in various parts of the territory to keep the Indians in check. This is the more aggravated, and felt the more severely by the citizens, as, with the exception of occasional outbreaks from small predatory bands, easily checked, and for two years entirely stopped the aborigines had been friendly and well disposed to the citizens until the arrival in our territory of the troops now encamped at Bridger."²¹

DENIAL OF "EXPEDITION'S" OFFICERS IN EMPLOYING INDIANS AGAINST THE SAINTS

Governor Cumming forwarded Mr. Hooper's charges that these depredations were incited by officers or agents connected with the "Utah Expedition" to Colonel Johnston; and Dr. Hurt, Indian Agent Forney, as well as Messrs. Powell,

20. *Ibid.*, p. 75.

21. Hooper to Governor Cumming, *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, pp. 74-5.

Ficklin and Jackson, entered denials of them, and denounced Mr. Hooper's charges as also those—essentially the same—made in a *Deseret News* editorial of April 14th, 1858, as absolutely false.²² Mr. W. M. F. Magraw, of Utah mail contract fame, and James Bridger, mountaineer, thought it necessary to write Major Fitz John Porter, assistant adjutant general, a defense of Colonel Johnston's attitude in respect of employing the Indians against the "Mormons," in which they give accounts of interviews between the colonel and Chiefs Little Soldier and Wash-a-kee, wherein those chiefs were told, in answer to their practical tender of service, that "they would not be allowed to participate in it [i. e. the trouble between the administration and the people of Utah] at all;" except it might be in service as guides, herders, or scouts; if at any time the general required them for such service he would send for them, "and pay them for their services." The general "advised them to go back to their people and remain quiet."²³

All this may be admitted as Colonel Johnston's course in the cases cited, but it still remains as an historical fact, that no trouble occurred around Fort Limhi until J. W. Powell and associates appeared among the Indians; that the Indians of Rush valley had been peaceably disposed for years until the advent of the army and the flight of Dr. Hurt; that when they made their stock-dealing raids the Indians openly avowed their intention of taking the stolen animals to the United States Army; and the evidence is quite clear that Dr. Hurt while absent from Camp Scott upon his Uintah mission did seek to incite the southern Indians against the people of Utah;²⁴ and if General Johnston is to be relieved of responsibility in this matter, and his policy was that described in the statements of Messrs. Magraw and Bridger, then his policy was ignored by his subordinates. But whether the

22. *Ibid.*, pp. 77-82.

23. Letter of Magraw and Bridger, *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, pp. 82-84.

24. *Deseret News* of April 14h, 1858. Also Hooper's Letter, already cited.

hostilities of the Indians were incited with the approval of the commander-in-chief of the "Expedition," or by his subordinate officers and agents without his direction; or by the Indians themselves acting upon their own initiative, taking advantage of the unsettled state of affairs to gratify their predatory inclination to profit by a state of war, their unrest and unprovoked attacks upon outlying settlements, increased the difficulties and the apprehensions of the Latter-day Saint church leaders, and of the people.

POLICY OF THE SAINTS RESPECTING THE USE OF INDIANS IN THE
"UTAH WAR"

On the part of the Latter-day Saints strict neutrality for Indians in these Federal-Utah difficulties was the policy determined upon. "When has one of Colonel Johnston's command been killed or their animals run off by Indians incited thereto by the citizens of this territory," the *News* editorial was able to ask; and then could make the following answer: "Never, for Governor Young and the 'Mormons' have ever counseled the Indians to remain strictly neutral, as all truth-telling red and white men, cognizant of the facts, will substantiate."²⁵ Elder George A. Smith, historian of the church, could thus put in contrast the policy of Governor Young and that followed by the "Utah Expedition:"

"It has been the policy of Governor Young and our people to keep the Indians neutral, should a contest ensue, [i. e. between the United States army and the Utah militia]. I read in the last papers received from the states loud boasts of having secured the Utah and other Indians as allies against the 'Mormons.' Strange as it may seem to civilized persons, all the reckless and unprincipled Indians of the mountains have been hired, with new guns, blankets, clothing, ammunition, paint, &c., to steal, rob, murder, and do anything else that can be done to destroy the 'Mormons.' Indian agents have sent messengers to all the peaceable Indians to incite them to deeds of rapine and bloodshed. A number of scattered settlements have been attacked, and innocent blood stains the skirts of the present administration whose agents have procured the murders."²⁶

25. *Deseret News* of April 14th, 1858.

26. Letter to T. B. H. Stenhouse, date of April 5th, 1858, *History of Brigham Young, Ms.*, 1858, pp. 307-8.

Also G. W. Mills writing to Stenhouse under date of April 5th, 1858, said:

"The war chiefs of several tribes of Indians, during the time of the excitement last fall and winter, applied personally to Governor Young for his advice and permission to go out with the tribes and 'use up' the soldiers, which they deemed themselves amply capable to do; but he, in every instance, told them to keep away from the army and show no bad feelings whatever, and requested them to avoid killing the white men. I have seen the chiefs exhibit sanguine feelings in relation to killing the soldiers, but entirely softened down by the counsel and expressions of Governor Young. He wrote to Ben Simons, the Delaware (Cherokee) Indian chief of the Weberites, in reply to a letter, to stand in a neutral position, neither take part with 'Mormons' nor the soldiers, in the event of a collision; and had always endeavored to suppress that bloodthirsty spirit of the treacherous red men."²⁷

PROPOSED MOVEMENT AGAINST UTAH FROM CALIFORNIA

About this time also rumors reached Utah of projected movements up the Colorado river by means of boats;²⁸ and another in which camels were to be employed in the transportation of troops and supplies from southern California,²⁹

27. *Millennial Star*, vol. xx, p. 461.

28. Lieutenant J. C. Ives, in the winter of 1857, was engaged in an exploration of the Colorado river. It was anticipated that the navigability of the stream would be established at least up to "the foot of the great canon of the Colorado," where it was proposed to establish a base from which to outfit the military forces designed to invade Utah from the south. (See correspondent in *New York Times*, and in the *St. Louis Intelligencer*, of Nov. 23rd, 1857; copied into *Deseret News* of 17th Feb., 1858.) These rumors led President Young to send a party of men under Amasa M. Lyman to investigate and ascertain what likelihood there was of attack from this Colorado river quarter. Lyman's party consisted of nineteen men in all; they left Cedar City on the 31st of March, and returned in the latter part of May. The party went as far as the head of the navigable waters of the Colorado, traversing trackless deserts and sun-parched mesas. They visited the Mohave, and Aiats Indians, the latter being unusually large of stature. They learned of the Ives and Beal exploring parties in that quarter; but there was little likelihood of the Colorado region being made a base of action against Utah. (See *Journal of F. M. Lyman*—who was one of the party of nineteen—entries for April and May, 1858; also *History of Brigham Young, Ms.*, May, 1858, p. 560).

29. This fact is disclosed in a letter from Mr. E. F. Beal, to Hon. John B. Floyd, secretary of war, which was published in the *Missouri Republican* of the 23rd of March. Mr. Beal's letter was a report to the hon. secretary of war, of a midwinter journey from Tejon [Cajon] Pass in the Sierra Nevada Mountains to Kansas City via Albuquerque by means of a camel pack train. In the course of his report Mr. Beal said: "In a previous letter I informed you that I had sent the camels back to Fort Tejon [Cajon] from the Colorado river, in charge of my clerk, in order that they might be used in the campaign against Utah. I parted with these noble brutes with much regret. A year of hard and almost unremitting labor with them had attached us all to them with feelings stronger, I think, than any one experiences for either the horse or dog. It is to be hoped that the government will

with a view of cutting off any contemplated retreat of the "Mormons" into Mexico. For some time the desirability of making California the base of operations against Utah had been urged upon the administration;³⁰ and it appears that President Buchanan at last yielded to such importunities and decided to send General Scott himself to the Pacific coast, to personally direct such a movement; the date of the commander-in-chief's departure was fixed upon—5th of February, 1858—and officially announced to Colonel Johnston;³¹ but before the date fixed upon for General Scott's departure the project was abandoned³²—and abandoned, it is claimed, because the army contracts for sending reinforcements and supplies to General Johnston in the spring created such a scandal³³ that the administration dared not proceed with its

continue the importation of this valuable animal until sufficient have been obtained for the use of the whole army. It is cheaper at first cost, lives longer, and is infinitely stronger and hardier than the mule, while its capacity for work is four times greater. For military purposes, I regard it as invaluable, in a country where forage is difficult to obtain." (*Missouri Republican*, April 9th, 1858).

30. "The policy of making California the base of operations against the Mormons has been urged upon the executive. Among the arguments in its favor is the fact that the valley of Salt Lake can be approached at all seasons from the Pacific, through the lower valleys and passes. Nor can the entrance to the Mormon country from that direction be successfully defended against Gentile troops. An army of twenty thousand men could enter Salt Lake valley in midwinter by the way of Los Angeles and San Bernardino. * * * But, in addition to these advantages of operating from California, the presence of so large a force in that country would overawe and terrify the numerous hostile Indian tribes there, who are becoming exceedingly troublesome; while it would effectually cut off the Mormon retreat towards Sonora—an object really of great importance." (*St. Louis Intelligencer*, Nov. 23rd, 1857; the article was reproduced from the *New York Times* of an earlier date).

31. Official letter of George W. Lay to Colonel Johnston, date of Jan. 23rd, 1858, *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, p. 33.

32. *Ibid*, letter of Feb. 4th, 1858.

33. "To the shame of the administration," writes Colonel Albert G. Brown, "these gigantic contracts, involving an amount of more than six million dollars, were distributed with a view to influence votes in the house of representatives upon the Lecompton [Kansas] Bill. Some of the lesser ones, such as those for furnishing mules, dragoon horses and forage, were granted arbitrarily to relatives or friends of members who were wavering upon that question. The principal contract, that for the transportation of all the supplies, involving, for the year 1858, the amount of four millions and a half, was granted, without advertisement or subdivision, to a firm in western Missouri, whose members had distinguished themselves in the effort to make Kansas a slave state, and now contributed liberally to defray the election expenses of the Democratic party." (*The Utah Expedition, Atlantic Monthly*, April, 1859, p. 478).

Pacific coast plans, involving further expenditure by creating another base of operation in California.³⁴

INCREASE OF THE FEDERAL ARMY AGAINST UTAH

In addition to the unrest and war-like outbreaks among the Indian tribes of the territory, and these rumors of projected invasions from the south and west, the church leaders were of course aware of the fact that substantial reinforcements, amounting to above three thousand men with ample supply trains and armament were to move in the spring from Missouri river points, and the administration had asked congress for still further levies of troops and supplies.

The official statement of these reinforcements to be added to the "Utah Expedition," together with a statement of the number already engaged in it, was issued from the headquarters of the United States army as follows:

"The force now in Utah under Colonel Johnston, (eight companies 2d dragoon, 5th and 10th infantry, Phelps' light battery, 4th artillery, and Reno's heavy battery), if up to the maximum standard, would amount to 118 officers, 2,470 men—2,588 aggregate. It is estimated that these troops require 850 recruits, which number will be put at Fort Leavenworth to accompany the reinforcement, with 44 officers. The entire force to be provided for on the march is 177 officers, 3,735 men—aggregate, 3,912. The whole army of Utah, (reinforcement included), to be supplied with subsistence, is 251 officers, 5,335 men—5,606 aggregate. All disposable recruits will be put in march for Fort Leavenworth as early in the spring as practicable. The troops to march from the points indicated must be supplied with three months' subsistence for consumption on the route, and one year's supply for the entire army of Utah will be sent with them. A reserve supply of eight months to be thrown forward to Fort Laramie before the setting in of a winter.³⁵ It was stated by General Harney that the wagons necessary to transport the one year's supplies referred to, not considering the three months' supplies to be used *en route* would be from 1,800 to 2,000."³⁶

The secretary of war, John B. Floyd, "in view of the menacing attitude of affairs in Utah" recommended *five* new

34. Linn, *Story of the Mormons*, p. 500.

35. *House Executive Documents*, 35th Congress, vol. ii, pt. ii, p. 30.

36. *Ibid.*, pp. 105-6, Letter of General Harney to Army Headquarters, May 27th, 1858.

regiments, "as the very smallest addition to the army which the exigencies of the service will allow." This on the 5th of December, 1857.³⁷ The president in his message of that year, Dec. 8th, recommended four regiments;³⁸ and congress passed an act, 7th of April, 1858, authorizing the president to call into service two regiments of volunteers "for the purpose of quieting the disturbances in the territory of Utah." By June 10th, the president thought that such progress had been made with reference to the settlement of Utah affairs that he released congress by special message from the obligation of making the appropriation necessary to equip and pay for the services of these regiments of volunteers.³⁹ Such, however, was the status of public feeling on the Utah question, in President Buchanan's opinion, that in his annual message of 1858, Dec. 6th, when referring to the call for volunteers, and saying that happily there had been no occasion for calling these regiments into service, he added: "If there had not been, I should have felt serious embarrassment in selecting them, so great was the number of our brave and patriotic citizens anxious to serve their country in this distant and apparently dangerous 'Expedition'."⁴⁰

The probable reason for the anxiety of the "brave, patriotic citizens," to serve the country as volunteers against the Latter-day Saints, was best explained on the floor of the United States senate by Albert G. Brown, United States senator from the state of Mississippi. He said:

"The point on which I place my chief objection to the employment of volunteers is this: if you send volunteers to fight the Mormons you will have civil war beyond all question. It is very well known that these people have had their disturbances in Illinois and Missouri before they left the states. They left enemies behind. *Those enemies thirst for vengeance today. Call for the volunteers, and the old enemies of the Mormons will be first to come forward and offer their services, and say, 'we will take the field; we will go and fight these Mor-*

37. *Senate Documents*, 35th Congress, 1st Session, vol. iii, p. 9.

38. *Message and Papers of the Presidents*, vol. v, p. 456.

39. *Ibid.*, p. 487.

40. *Ibid.*, pp. 504-5.

mons.' *They go with a view of shedding blood; they go for vengeance, and they will have it.* Send a volunteer force against the Mormons from Missouri and Illinois, and you will have war as certain as that a God reigns in heaven. No human agency can prevent it. The volunteer soldier will have volunteer officers. They will be of a piece and all be of a party, *and all thirst for vengeance on account of old scores.* The extract from Colonel Johnston's letter, read by the senator from Massachusetts yesterday, had attracted my attention before; and if I felt perfectly sure that the extract was authentic, I should demand from the executive that Colonel Johnston should be deposed from the command; and whoever goes there in command of your troops, saying you ought to have war, and that war is the best thing for the United States, is certain to bring on war. I say that the man who goes there thirsting for blood, who wants to shoot down these poor, deluded people who are following Brigham Young, will bring war, disgrace, and dishonor on your country. I want no war, I want no bloodshed. If you will send no volunteers to Utah you will have no war. There is no necessity for it. Brigham Young and his followers do not mean to fight. They will not fight. They will not fight you unless you force war on them. That is my judgment."⁴¹

"TRUST IN GOD"—SOLE REFUGE

It would certainly appear from the foregoing that the forces to be launched against the Latter-day Saints in Utah seemed quite overwhelming. It is cause for no wonder, therefore, if the situation seemed appalling to the church leaders. In the midst of such threatening portents they with their brave people had but one source of comfort—one hope, one refuge, and that was *Trust in God*. The leaders as well as the people were compelled to fly to that refuge; aside from it Brigham Young was as helpless as the humblest church member. In the latter days of March, the "move south" then being under way, President Young and his counselors and a number of the twelve were on their first day's drive from Salt Lake City southward; the roads were very dusty, the wind blowing into their faces so that sometimes they could not see their horses for it; they passed about one hundred heavily loaded teams with families going south, and met as many more with empty wagons going north to assist those without teams to move from the northern settlements; there

41. *Congressional Globe*, Senate Proceedings for Feb. 20th, 1858, p. 769.

was no grass along the road for these teams, they had to depend upon the well-nigh exhausted supply of hay. That night President Young's party stopped at Lake City, in Utah county. A public meeting was held in the evening at which the president spoke. "He compared himself to a man who had a family of fifty blind persons to lead over rough, bad roads, bridged, but planks out of the bridges, and had to cross on the string pieces. He exclaimed—'*Oh, how thankful I would be if the people could all see better than I!*'"⁴²

The following Sunday, April 4th, meantime having returned to Salt Lake City to direct the movements of the people, in remarks made in the tabernacle, President Young alluded to the ancient prophets being mistaken about the second advent of the Messiah [i. e. mistaken as to his immediate return to earth, see *II Thess.*, iv] and to the possibility of this people being mistaken also. He "spoke of the wicked upon our borders [the army at Bridger], and said it would satisfy his feelings if the Lord would permit him to say 'go out and slay your enemies, and rid the earth of them,' but he had to hold in the people and himself, and he was tired."⁴³

These incidents clearly indicate that for this man Brigham Young, as for the humblest of his people, there was no refuge but trust in God; from every human viewpoint their case was overwhelmingly hopeless. And at this point the tide in affairs turned in their favor. Word was received by special express that Colonel Kane had succeeded in persuading Governor Cumming to come to Salt Lake City and assume the duties of his office, *unattended by the army or any military escort whatsoever.*

42. *History of Brigham Young, Ms.*, entry for April 1st, 1858, p. 293.

43. *History of Brigham Young, Ms.*, entry for 4th April, 1858, p. 303.

CHAPTER CXII

THE ENTRANCE OF GOVERNOR CUMMING INTO SALT LAKE CITY UNACCOMPANIED BY UNITED STATES TROOPS

AN express bringing the word that Governor Cumming was on his way to Salt Lake City without a military escort, to assume the duties of his office, arrived in Salt Lake City on the evening of the 8th of April.¹ On the 9th an informal council meeting was held by several leading brethren, in President Young's office. Elders George A. Smith and D. H. Wells both expressed their dislike to having Alfred Cumming "become by any means governor of the territory in virtue of the laws of the United States, which he would do if he came here and was sworn into office. President Young said he did not care anything about it; the Lord would overrule it for good which ever way it happened. He did not wish to see Governor Cumming unless he particularly desired an interview."²

GOVERNOR CUMMING'S JOURNEY FROM CAMP SCOTT TO SALT LAKE —ECHO CANON EXPERIENCES

Colonel Kane with Governor Cumming, as already stated, left Camp Scott on the 5th of April, for Salt Lake City. They had one carriage, one wagon, and two attendants. The day following their departure from Camp Scott they met a small company of "Mormon" militia at Quaking Asp Hill, who conducted them to the military encampment at the head of Echo canon. The journey through the canon was made in the night. At many points in the canon the Utah militia had great bonfires burning, and met the governor at three

1. *History of Brigham Young, Ms.*, 1858, pp. 337-8, Brigham Young, Jun. (Son of President Brigham Young, and later a member of the apostles' quorum, and Colonel N. V. Jones), carried the express.

2. *History of Brigham Young, Ms.*, 1858, pp. 341-2. Later President Young said he hoped "the feeling of the people, when the governor came in, *would be cold enough to freeze peaches*; but he considered Colonel Kane had performed a great feat in bringing in the governor, and passing backward and forward to Johnston's camp" (*Ibid*, p. 349).

encampments in military order.³ At these camps Governor Cumming delivered addresses expressing the belief that the troubles of the people would soon be ended, and that "he hoped the day was near when the peaceable inhabitants of Utah, would be allowed to follow their peaceful vocations without having to lay in the mountains."⁴ The militia who heard these speeches noted the fact that the governor's utterances at their camps were markedly different from the spirit of his proclamation of the 21st of November, addressed to the people of Utah territory.⁵ The governor himself afterwards expressed some anxiety as to these speeches, and great wonderment at his reception by the militia in Echo canon. The illuminations there, he said, in a conversation with a number of gentlemen in Salt Lake City on the day following his arrival, "outstripped anything he had ever expected to see." Colonel Kane said he never expected to see such a sight again. "The effect could not be described."⁶ Cumming said he would be glad if "a sketch of his reception at Quaking Asp Hill could be taken. The illumination could not be." "On finding himself in Echo canon the governor said he did not know what to think. He was surrounded by armed soldiers, who on his arrival presented arms in honor of his coming: he said he did not know what to do: but he delivered a speech, and he did not know but what he had committed himself. Colonel Kane assured him his speech was a happy effort, *for an extemporaneous address.*"

A GRIM SENSE OF HUMOR MANIFESTED

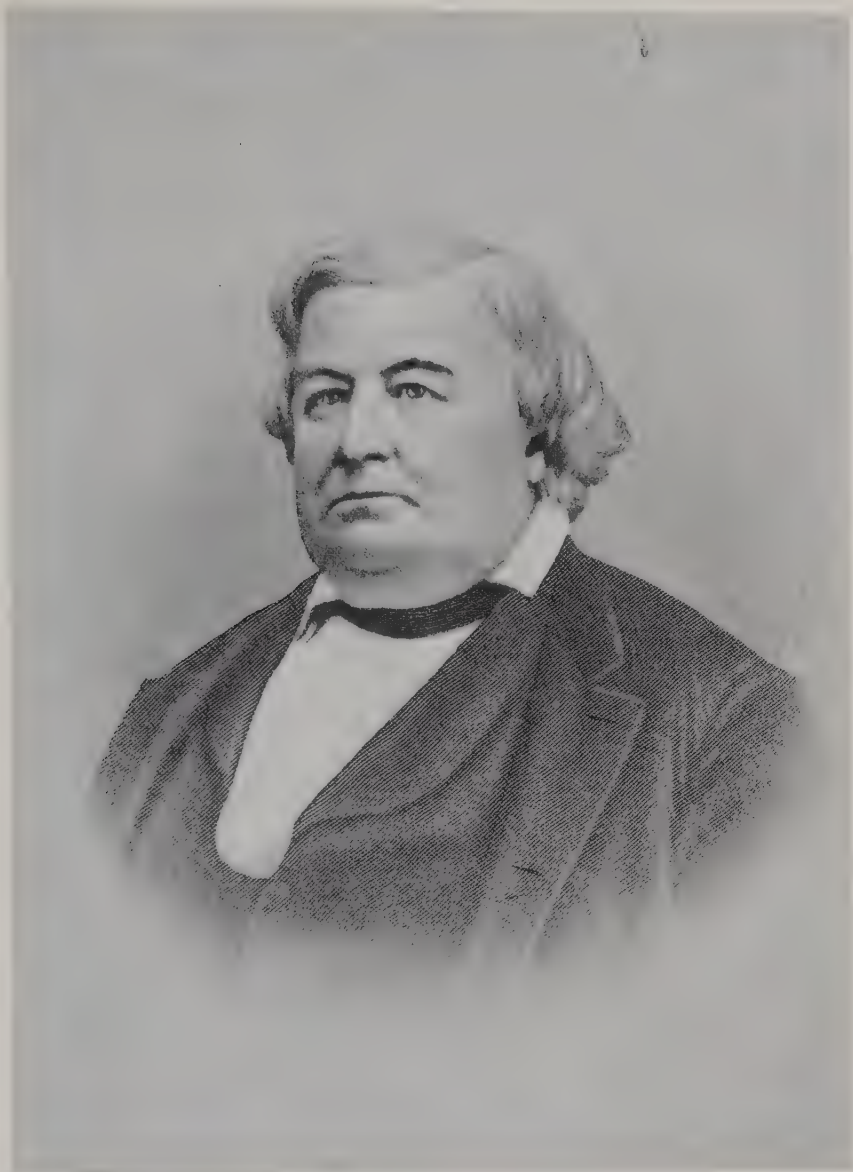
It is of general repute that the governor was a little imposed upon in his night journey through Echo canon. In order to make as impressive an appearance of their forces as possible, as also, doubtless, to keep concealed the location

3. Ibid, pp. 337, 338.

4. Ibid, p. 337.

5. "His speech, to a great extent, repudiated his last winter's proclamation." (*History of Brigham Young, Ms.*, 1858, p. 337).

6. *History of Brigham Young, Ms.*, entry for April 13th, 1858, p. 358.



ALFRED CUMMING

Utah's second governor; friend of the people; master of
conciliation.

and the nature of their "fortifications" in the canon, the journey of the governor's party was made in the night. After the militia at the first campfire halt had been drawn up in form and solemnly addressed by his excellency, they were dismissed and hurried down to the second encampment to again solemnly receive the governor in military array, and again hear his speech; again to cheer what he had to say about returning peace; and so again at the third encampment this performance was repeated. Stenhouse, who makes too much of the incident, states that when the governor discovered the trick played upon him, "he was ever afterwards unpleasantly reticent when the affair was mentioned." He also says that Cumming held Brigham responsible for the mortifying joke;⁷ but that is not likely, since Brigham Young did not know of the governor's advent into the "Mormon" camps in time to plan it. Stenhouse makes the following attempt at description of the illuminations:

"From one end of the canon to the other, great fires could be seen at night on the hillsides and on the mountain tops, representing the works and bivouacks of a great army, while the lurid flames of the pine-tree fires rendered the darkness still more impressive, and conveyed to the bewildered governor the idea that near at hand there was a mighty host under arms. The military chieftains managed to keep his excellency in a continued strain of feverish expectation. At every important bend of the road the governor and his escort would be suddenly challenged by the pickets, and the countersign demanded. On one occasion there was a call to arms, and a mock effort at hostility, but some of the principal officers arrived just in time to save his excellency's life, and to call off the pugnacious militia, and hinder them from taking him prisoner!"⁸

At the mouth of Echo canon Colonel Kane detained the governor by a day's shooting; and further down the Weber, at the camp of Ben Simons, the Cherokee Indian trader and interpreter, another day was spent in shooting. By express Colonel Kane sent word to President Young that he expected to arrive in Salt Lake City with the governor on Monday, the 12th of April.⁹ Undoubtedly the delay *en route*

7. *Rocky Mountain Saints*, p. 390.

8. *Ibid.*, p. 390.

9. *History of Brigham Young, Ms.*, entry for April 13th, 1858, p. 358.

was meant to kill time in order to give opportunity for the church leaders and the people to adjust themselves to the new situation created by Governor Cumming consenting to come among them without a military escort, to assume the duties of his office.

The snow was still so deep on Big Mountain, over which the road usually traveled passed into Salt Lake valley, that it was decided to bring the governor through Weber canon *via* Farmington to Salt Lake City. "At the mouth of Weber canon the Farmington guards, mounted and in uniform, met him. On his reaching the courthouse (in Farmington) the band played The Star Spangled Banner. Sunday evening he stopped at Judson Stoddards at Farmington. Monday morning he was visited by the Farmington band in carriages: they played Hail Columbia, Yankee Doodle, the Star Spangled Banner, and other popular airs. Cumming made a speech, remarking that he was astonished at such attachment for national airs, he believed it could not be feigned."¹⁰

GOVERNOR CUMMING FINDS THE PEOPLE EN EXODUS FROM THE TERRITORY

It was a strange view, however, that met the eyes of Governor Cumming on his journey the next day through Davis county towards Salt Lake City. The road was thronged with people from the northern settlements moving southward, their wagons loaded with provisions and household effects, while loose cattle, horses, sheep, even pigs were driven in droves before them. They were leaving their homes at the call of their prophet upon another hegira—this time not only into a wilderness, but into a desert. But they were moving confidently, even cheerfully, leaving men in charge of their deserted homes with orders to lay them waste by applying the torch to everything that would burn, and the

10. Report of General W. H. Kimball to President Young. *History of Brigham Young, Ms.*, entry for 15th April, 1858, pp. 365-6.

ax to every shrub and tree that had been planted, in order to leave the settled valleys of Utah a blackened, treeless waste, giving them back to desolation—a protest against the injustice of forcing upon an American community officers whom they had no voice in selecting; and, from their viewpoint, dragooned upon them by military power; a protest against the violation of the American principle that governments derive their just powers from the consent of the governed; a protest—again from their viewpoint—since popular conception of the purpose of the “Utah Expedition” was that it should suppress the “Mormon” marriage system¹¹—a protest, therefore, against the interference of the secular authority with the freedom of religion.

At the Hot Springs, three miles north of the corporation limits of Salt Lake City, the governor’s party was met by the mayor, aldermen and some of the councilmen, of Salt Lake City; and by them Governor Cumming was escorted to the lodgings secured for him at the home of W. C. Staines, where the party arrived about 11 a. m., the mayor riding with the governor.

MEETING OF THE GOVERNORS—EX AND DE FACTO

The day following his arrival Governor Cumming expressed a desire for President Young to call upon him; and accordingly, about four in the afternoon, in company with George A. Smith, the now ex-governor of Utah called upon his successor. Heber C. Kimball joined the party later. They were introduced by Colonel Kane. The conversation for the most part was on commonplaces—the “beauty of the valley,” “the improvements,” “the fruit,” some of which the governor had tasted, as Colonel Kane had taken a few apples with him into Camp Scott. Governor Cumming spoke of his satisfaction at the arrangement made for his reception by Colonel Wm. H. Kimball at the Echo canon camps. Only

11. See *New York Tribune* Editorial of Jan. 30th, 1858; this History, ch. cxiii, Note 1 end of chapter.

once did the conversation approach the question which both the present and the former governor of Utah knew was inevitable. This was near the close of the interview. Ex-Governor Young asked Governor Cumming to take a ride with him through the city and view the improvements. Cumming replied that he would do so in a few days, after he was rested. The ex-governor remarked to Cumming, perhaps quizzically, that if he had only come in last fall he would have been made more comfortable. Doubtless the vision of that winter in Camp Scott and all its discomforts and dangers rose before the mind of the ease-loving governor of Utah as he declared in answer to the above remark, that he had "*a crow to pick with Governor Young in relation to that.*" Ex-Governor Young replied that as he (Young) was a preacher, he would give him a text to consider for that event; and this was the text: "The people who know me best, love me best." Upon which Colonel Kane exclaimed: "That is not only a text, but a sermon." Thus the first interview closed.

It will be of interest to note, parenthetically, some of the "asides" and impressions on both parties to this first interview. The day following the arrival of Governor Cumming, Colonel Kane, when calling upon President Young remarked that "he [Kane] had caught the fish, now you can cook it as you have a mind to."¹² "George A. Smith's first impression when he saw Cumming was that he was a toper," says our chronicle; "but examining him with his glasses, he concluded he was a moderate drinker and a hearty eater. He was well dressed, in black, had a ruddy face and grey hair. His head was small around the top; * * * his probable weight about two hundred and forty pounds." Through remarks of Colonel Kane to General Wm. H. Kimball the brethren learned the impressions that his visitors of the 13th of April made upon Governor Cumming, who prided himself on being something of an adept in physiognomy: "Governor Young was a man

12. *History of Brigham Young, Ms.*, entry of April 13th, 1858, p. 357.

of lamb-like disposition, and possessed a superior brain—a mind capable of grasping anything. President Kimball was a fierce, brave, unflinching, unchangeable man, and more to be dreaded than any of the others; fine, determined temperament, and a very fine man: and if any of them needed hanging, it would be he. George A. Smith possessed an unaccountable memory, would make an excellent historian, and a number one politician if he had a chance. They were three exceedingly fine, intellectual men, and he had been deceived in what he had heard of them. He liked them.”¹³ These three constituted the first presidency of the church, it will be remembered.

SECOND INTERVIEW—PRIVATE ITEMS

This first interview was followed the next day by a strictly private one between the “two governors,” the only other person present being Colonel Kane. In this interview Governor Cumming asked twice for ex-Governor Young’s office—i. e. his office room. Colonel Kane explained that ex-Governor Young’s office was part of his private residence. President Young was not well impressed with the intentions of Governor Cumming. Relating the incidents of this private interview to George A. Smith, President Young said the governor “came pretty near commanding me to forbid the people leaving their homes;” saying, “there would be nobody left here but renegades who followed the army for juries.”¹⁴ The conversation turned upon the illegality of the post office department stopping the mail, which Cumming did not attempt to defend; upon the change of conduct on the part of the Indians: “For some time,” said President Young, “the people in Utah had lived in peace with the natives, now they come to their homes and draw their bows upon the women and say that the ‘Mormons’ are squaws, and will not fight; but

13. *Ibid.*, p. 364.

14. *History of Brigham Young, Ms.*, entry for April 14th, 1858, p. 361. The president expressed himself as “fully satisfied, by the talk he had with Cumming, that he desired the destruction of the saints” (*Ibid.*).

that the soldiers will fight and kill all the 'Mormons.' The operations of Dr. Hurt in the Uintah valley was alluded to, and the statement by the Indians that they had been offered \$150 a piece for "Mormons" was repeated. "It ain't possible," (sic!) said Governor Cumming. "It will not be easy to make the people believe anything else," replied ex-Governor Young. Cumming at the close of the interview agreed to let the ex-governor see his private instructions.¹⁵

GOVERNOR CUMMING'S REPORT OF CONDITIONS TO GENERAL
JOHNSTON

Governor Cumming however must have thought that he was making progress in the matter of bringing order out of the chaotic state of Utah affairs, since on the 15th of April he wrote to General Johnston detailing the incidents of his journey to Salt Lake City, in the course of which he said:

"I have been everywhere recognized as the governor of Utah; and so far from having encountered insults and indignities, I am gratified in being able to state to you that in passing through the settlements, I have been universally greeted with such respectful attention as are due to the representative of the executive authority of the United States in the territory."

The governor also reported that ex-Governor Brigham Young had paid him "a call of ceremony;" that at subsequent interviews the ex-governor had evinced a willingness to afford him every facility which he might require for the efficient performance of his administrative duties. "His course, in this respect," said the communication, "meets, I fancy, with the approval of a majority of this community." "The territorial seal with other public property," continued the governor, "has been tendered to me by William H. Hooper, Esq., late acting secretary *pro tem*." He had not yet examined the subject critically, but he apprehended that the records of the United States courts, territorial library, and other public property remain unimpaired. "Having entered upon the

15. *Ibid.*, pp. 361-3.

performance of my official duties in this city," said the governor, "it is probable that I will be detained for some days in this part of the territory." In conclusion the governor presents the charges of inciting the Indians to acts of hostilities against the people of Utah, by officers and agents of the "Utah Expedition," and informs the general commanding at Camp Scott that he may be compelled to make a requisition upon him for a sufficient force to chastise these Indians, as he desired to avoid calling upon the territorial militia; and notes that the charges against the officers and agents of the "Utah Expedition" call for investigation.¹⁶

BRIGHAM YOUNG'S TENDER OF GENERAL SUPPLIES TO THE ARMY

Accompanying the above communication was another offer by Brigham Young of supplies of provisions for the army, tendered through Governor Cumming. The offer brought forth no response from the general commanding; the communication making the tender was, however, countersigned by the assistant adjutant general, F. J. Porter, and entered with the official documents of the "Expedition."

The tender of supplies was as follows:

"Great Salt Lake City, April 16, 1858.

Sir:—Learning that you propose sending an express to Colonel Johnston's camp, I avail myself of the opportunity of proffering, through your excellency, to Colonel [General] Johnston and the army under his command, inasmuch as they are supposed to be measurably destitute, such supplies of provisions as we have, and they may need, prior to the arrival of such supplies from the east.

Trusting that you will appreciate the sincerity of the motives prompting this courtesy, I have the honor to be, very respectfully,

[Signed] "BRIGHAM YOUNG."

His Excellency, Governor A. Cumming.

Headquarters, Department of Utah,
Camp Scott, Utah Territory, May 28, 1858.

F. J. PORTER,

Assistant Adjutant General."¹⁷

16. *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, pp. 72-3.

17. *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, No. 30, p. 91.

It is clear that in the tender of courtesies and benefits, and exhibition of generous manliness, the now ex-governor registered much higher throughout than General Johnston, though in the latter we have the right to expect the bearing of the chivalrous gentleman of the south.

THE "MOVE SOUTH" CONTINUES

While so much of progress was made, as noted in the matter of receiving the new governor, the "move south" by the people was in progress. Daily the streets of Salt Lake were thronged with wagons and stock bent on this strange hegira. On the 15th of April, Albert Carrington, editor of the *Deseret News* was instructed by President Young, after two more issues of the paper, to move the printing establishment to Fillmore, and publish the paper from there; then a month later, from Parowan—still further south—and this without offering any explanation of apology for thus being, practically, a publishing house on wheels.¹⁸

At the Historian's Office the church records, papers, and books were securely packed in boxes and shipped south to Provo, where an Historian's Office was improvised, in the counting room of the music hall.¹⁹ The caching of wheat and the other grains went steadily on in various places. Teams came up from the south to move the tithing grain to places where it would be securely cached. Governor Cumming was much distressed and puzzled over the evident determination of the people to leave their homes, deliberate arrangements for the destruction of which had been made in the event of the army moving in the direction of Salt Lake valley from its winter quarters at Camp Scott.

In the midst of these conditions the health of Brigham

18. *History of Brigham Young, Ms.*, entry for 15th April, 1858, p. 366. The *News* was accordingly printed from Fillmore beginning on the 5th of May. Eighteen weekly numbers were issued from Fillmore, the last bearing date of Sept. 1st, 1858. The *News* then returned to Salt Lake City. There arose no necessity to move it south to Parowan.

19. *History of Brigham Young, Ms.*, 1858, p. 428.

Young was precarious. On the 20th of April there were some symptoms of apoplexy,²⁰ but he soon recovered.

INVESTIGATIONS BY GOVERNOR CUMMING: REPORT

Consultations between Governor Cumming and leading churchmen and civil officers and lawyers were frequent. The governor was given the opportunity to examine the court records and expressed his astonishment that they were not burned. With Colonel Kane he visited the Utah library and with equal astonishment found that it had not been destroyed as reported. Assisted by Colonel Kane and W. C. Staines, the latter the state librarian, he took an inventory of the books and ascertained that they were all there. He called upon Captain W. H. Hooper and inquired about the safe belonging to the secretary of the territory. From his house the captain took the governor over two high fences at the back of his premises into his barn, where he presented the government safe. To the governor's inquiry as to why he kept the safe in such an out of the way place, Hooper replied: "We were going to burn the city shortly, and did not want to burn any United States property!" James W. Cummings showed the governor the records of the United States district court; whereupon the governor gave Cummings an order—styling him clerk of the United States district court—on W. H. Hooper, secretary *pro tem* of the territory—for a safe in which to keep the court papers and records; "thereby recognizing Hooper and Cummings," says the chronicle, "the former as secretary of the territory *pro tem*, and the other as clerk of the United States district court."²¹ It was upon the facts ascertained in this investigation that Governor Cumming in his report of the 2nd of May, to Mr. Cass, United States secretary of state, could say:

"Since my arrival I have been employed in examining the records of the supreme and district courts which I am now prepared to report

20. *Ibid*, entry for 20th and 21st of April, pp. 422-3.

21. *History of Brigham Young, Ms.*, entry 19th of April, 1858, pp. 396-7.

upon as being perfect and unimpaired. This will doubtless be acceptable information to those who have entertained an impression to the contrary. I have also examined the legislative records and other books belonging to the office of the secretary of state, which are in perfect preservation. I believe that the books and charts, stationery, and other property appertaining to the surveyor general's office will, upon examination, be found in their proper place, except some instruments which are supposed to have been disposed of by a person who was temporarily in charge of the office. The condition of the large and valuable territorial library has also commanded my attention, and I am pleased in being able to report that Mr. W. C. Staines, the librarian, has kept the books and records in most excellent condition."²²

Sometime afterwards, to wit, in the month of September, 1858, a correspondent in Salt Lake City for the *San Francisco Evening Bulletin* reported that the Utah public records were all in confusion, notwithstanding Governor Cumming's report to the contrary as above, to the secretary of state. Alleged defects of the records both in the United States district courts at Salt Lake City, and also in the records in the territorial secretary's office, are alleged, followed with this statement of the correspondent: "How Governor Cumming, in view of these facts was able to reconcile his conscience to his report that these records are in a perfect state of preservation, I cannot tell you." "I do not believe him capable of deliberate prevarication," the correspondent adds, "and yet it is difficult to explain his report on any other theory." It was also charged that some of the records of the supreme court clerk's office had been seized by Brigham Young "during the rebellion and had not been restored." This *Bulletin* article greatly angered Governor Cumming and he proceeded to vindicate his report to Mr. Cass, secretary of state, by an itemized statement of the journal and bar docket of the first and third judicial district courts, from 1851 to 1857; and had the completeness of them certified to by Henry Cabot and Kirk Anderson, who made the examination and itemized the records, and had it countersigned by John Hartnett, secretary of the territory, and P. K. Dotson, marshal,

22. *House Executive Documents*, 35th Congress, vol. ii, pt. ii, pp. 93, 94.

who were present when the examination was made. The same as to the books and records in the office of the secretary of the territory; so also in relation to the legislative records. John G. Lynch, clerk of the supreme court, certified under date of Oct. 25th, to the completeness of the records from 1851, when the court was organized, to 14th of March, 1857, being the last day of said court, all which records "complete and in good condition he received from his predecessor." In the signed statement by Hartnett and Dotson it is also said: "If the personal or official veracity of his excellency may, in any way, have been questioned in this matter, we unhesitatingly pronounce it most unjust, and so certify to the country."²³

Wonderment now shifts to the question why the misrepresentation to the *San Francisco Evening Bulletin*, for it seems to be purely malicious.

SENATORIAL "BEE" PUT IN GOVERNOR CUMMING'S "BONNET"

In one of the many interviews between Governor Cumming and leading churchmen, Daniel H. Wells, of the first presidency, informed the latter that the people had resolved not to be governed by officers sustained by bayonets, and suggested that without resigning his office, Cumming go right back to Washington and get Utah admitted as a state "as the only alternative to prevent collision and bloodshed." Cumming answered that they would ridicule him should he go back; but "he fancied," says the record of the conversation, "the day would come when he would be our senator."²⁴

On the same occasion General Wells asked Governor Cumming if indictments had not been found by Judge Eckles against Presidents Young and Kimball at Camp Scott. The governor replied in the affirmative. General Wells reminded the governor of the fate that had overtaken Joseph and Hy-

23. The letter to the *Bulletin*, and all the papers certifying to the correctness of Governor Cumming's report to Secretary Cass, will be found in *Deseret News* for Oct. 27, 1858.

24. *History of Brigham Young, Ms.*, entry for 20th April, 1858, pp. 422-3.

rum Smith, when they went to Carthage, Illinois, and sternly said that Brigham Young and Heber C. Kimball were not going to Camp Scott. "Cumming did not feel inclined to talk upon the subject."²⁵ Later—early in May—copies of indictments "of the court held in Johnston's camp" (Camp Scott) were printed. The indictments "include the presidency, editor of the *Deseret News*, and a thousand others whose names were unknown to the jury." The account also states that "on receiving the resolutions of the legislative assembly (referred to in chapter cviii), a special term of the grand jury was called for the purpose of indicting every member and officer who signed them for high treason." Efforts were made also to indict Hon. John Bernhisel, the delegate to congress. Cumming asked General Wells on the occasion of the above interview about two men detained here [i. e. Salt Lake City] as spies, one of whom is said to be of some importance in the 5th infantry, though he came here [Salt Lake City] in the capacity of teamster. Brother Wells said, "the men could not go [could not have gone] back to the army, but they might have gone on to California."

GOVERNOR CUMMING'S PUBLIC SPEECH TO THE PEOPLE OF SALT
LAKE CITY

On Sunday the 25th a public meeting was held at the "Old Tabernacle," in Salt Lake City, which Governor Cumming attended, and addressed the people, being introduced to the assembly by President Young as the "governor of Utah." The following is the governor's account of his remarks at that meeting:

"My presence at the meeting in the tabernacle will be remembered by me as an occasion of intense interest. Between three and four thousand persons were assembled for the purpose of public worship; the hall was crowded to overflowing; but the most profound quiet was observed when I appeared. President Brigham Young introduced me by name

25. *History of Brigham Young, Ms.*, entry for 20th April, 1858, pp. 422-3.

as the governor of Utah, and I addressed the audience from 'the stand.' I informed them that I had come among them to vindicate the national sovereignty; that it was my duty to secure the supremacy of the Constitution and the laws; that I had taken my oath of office to exact an unconditional submission on their part to the dictates of the law. I was not interrupted. In a discourse of about thirty minutes duration I touched (as I thought best) boldly upon the leading questions at issue between them and the general government. I remembered that I had to deal with men embittered by the remembrance and recital of many real, and some imaginary wrongs, but did not think it wise to withhold from them the entire truth. They listened respectfully to all that I had to say, approvingly even, I fancied, when I explained to them what I intended should be the character of my administration; in fact, the whole manner of the people was calm, betokening no consciousness of having done wrong, but rather, as it were, indicating a conviction that they had done their duty to their religion and their country. I have observed that the Mormons profess to view the Constitution as the work of inspired men, and respond with readiness to appeals for its support."²⁶

This report of the governor's remarks when compared with the synopsis in the annals of the church are not at radical variance. The report as it stands in the *History of Brigham Young, Ms.*, is as follows:

"Governor A. Cumming said he had been appointed by the president, with the consent of the senate, to be the governor of this territory. It was true there was a large body of armed men on the frontier, but, they were not sent to destroy the 'Mormons,' but to protect them from the lawless savage. He was sent to enforce the law. Said he would, in all future moves, consult with the gentlemen who had enjoyed our confidence. He and the officers had nothing to do with our social and religious views; we had the right to serve God, in any way we pleased. Did not expect his would be a path of roses; but expected opposition by some misguided men. Requested the 'brethren,' if they saw him go a little astray, not to treat him harshly, but to counsel with him, as a friend."²⁷

It had been reported to Governor Cumming that there were people detained in Utah against their will, whereupon the governor at the above named meeting had the following notice read:

26. From a report to Honorable Lewis Cass, secretary of state, Washington, D. C., under date of May 2nd, 1858, *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, pp. 91-97.

27. *History of Brigham Young, Ms.*, entry for 25th April, 1858, p. 436.

NOTICE.

"It has been reported to me that there are persons residing in this and in other parts of the territory who are illegally restrained of their liberty. It is therefore proper that I should announce that I assume the protection of all such persons, if any there be, and request that they will communicate to me their names and places of residence under seal, through Mr. Fay Worthen, or to me in person during my stay in the city.

A. CUMMING,
Governor of Utah Territory."

He afterwards reported to the secretary of state that up to the 2nd of May he had kept his office open at all hours of the day and night and had registered "fifty-six men, thirty-three women, and seventy-one children," as desirous of his protection and assistance in proceeding to the states. "The large majority of these people are of English birth, and state that they leave the congregation from a desire to improve their circumstances, and realize elsewhere more money by their labor." Not because they were, or had been—let it be noted—abused by their co-religionists, or "restrained of their freedom;" but to "better their industrial condition," which was quite beside the causes which were supposed to have called forth the governor's "notice," offering to assist those alleged to be restrained of their freedom. "Certain leading men among the Mormons," continues the governor's account of this matter, "have promised to furnish them flour, and assist them in leaving the country."²⁸

This notion that people were held in Utah against their will doubtless arose from remarks of President Young made in what we may call the early days of the "Utah War;" when, on the 13th day of Sept., 1857, Captain Van Vliet being present, and on the stand in the tabernacle, President Young said: "I have told you that if this people will live their religion, all will be well; and I have told you that if there is any man or woman that is not willing to destroy anything and everything of their property that would

28. Cumming's report to Cass, *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, pp. 94-5.

be of use to an enemy, if left, I wanted them to go out of the territory; and I again say so today; for when the time comes to burn and lay waste our improvements, if any man undertakes to shield his, he will be sheared down; for 'judgment will be laid to the line and righteousness to the plummet.' Now the faint-hearted can go in peace; but should that time come, they must not interfere. Before I will suffer what I have in times gone by, there shall not be one building, nor one foot of lumber, nor a stick, nor a tree, nor a particle of grass and hay, that will burn, left in reach of our enemies. I am sworn, if driven to extremity, to utterly lay waste, in the name of Israel's God."²⁹ The number in the community that accepted the invitation of Governor Cumming to receive his special protection and assistance to leave the territory was small even when it represented, in large majority, those who were desirous to leave in order to "realize elsewhere more money for their labor," as well as those who thought themselves restrained of their liberty—eighty-nine in all, exclusive of their children. Those persons who called upon Governor Cumming "generally wished to see him alone; and their wants were a little tobacco, sugar, coffee, tea, etc. One man thought a thousand dollars would do to get him away from this place [i. e. Utah]!"³⁰

Governor Cumming at the aforesaid meeting of Sunday the 25th of April, suggested that if any were present who were inclined to address the meeting on topics of interest to the community he would like to hear them—seeking doubtless by this means an expression of public sentiment. "This invitation," he reports, "brought forth in succession several powerful speakers who evidently exercised great influence over the masses of the people."³¹

UTAH'S GRIEVANCES VOICED

Among these several speakers, and chiefly, were Elders

29. *Journal of Discourses*, vol. v, p. 232.

30. *History of Brigham Young, Ms.*, 1858, pp. 465-6.

31. Report of Secretary of State Cass before cited (see footnote 26).

Gilbert Clements and John Taylor. The speeches covered a wide range of subjects. The persecutions of the saints in the past, the injustice endured by non-interference in their behalf by those charged with the administration of the law; the discrimination against Utah in the matter of land preemption laws; the administration ignoring the selection of lists of officers from Utah for territorial positions; the un-Americanism of dragooning upon an American community officers whom they had no voice in selecting, and who were declared to be, under all the circumstances, obnoxious to the people. "Let that army be removed and let an investigating committee come and diligently inquire into the cause of complaint," said Gilbert Clements, and he would say "that all would be well." "These troops" said Elder Taylor, "must be withdrawn before we can have any officers palmed upon us." "We have never said we would not receive their officers," said Gilbert Clements, "but that we would not receive them at the point of the bayonet." Referring to Governor Cumming's claim that the army was in Utah for the protection of the people, the same speaker exclaimed—"why in the name of God did they not come when we were weak!" Governor Cumming parried these thrusts as best he could. The course of the administration in the matter of appointing territorial officers was the same in Utah as in other territories. Other territories, however, he was answered, had not the same crying necessity that Utah had for home rule; and had not sent in protests against the Washington appointments, with accompanying lists of local men—several for each office—from which the administration might choose, and which the petitioners begged and pleaded might be chosen; and in the event of it being impossible for these to be appointed, then in the name of American decency to "appoint *good men* to the offices." "The government had granted preemption rights to settlers in all the territories but Utah," said John Taylor. "Not until the Indian title had been extinguished," replied Governor Cumming. "Why then

has not the Indian title been extinguished in Utah?" retorted Taylor, to which there was no answer.

A BOISTEROUS MEETING

The meeting was quite spirited, not to say boisterous. Cumming reporting it to Secretary Cass says that the congregation became greatly excited and joined the speakers in their intemperate remarks, "exhibiting more frenzy than I had expected to witness among a people who habitually exercised great self-control." He adds:

"A speaker now represented the federal government as desirous of needlessly introducing the national troops into the territory 'whether a necessity existed for their employment to support the civil officers or not,' and the wildest uproar ensued. I was fully confirmed in the opinion that this people, with their extraordinary religion and customs, would gladly encounter certain death than to be taxed with a submission to the military power, which they wrongfully consider to involve a loss of honor. In my first address I had informed them that they were entitled to a trial by their peers; that I had no intention of stationing the army in immediate contact with their settlements, and that the military posse would not be resorted to until other means of arrest had been tried and failed. I found the greatest difficulty in explaining these points, so great was the excitement. Eventually, however, the efforts of Brigham Young were successful in calming the tumult, and restoring order before the adjournment of the meeting."³²

Doubtless the part of President Young in the meeting astonished his own following. He reproved Elder John Taylor, saying "the matters which Brother Taylor wished to bring before the people he did not wish to hear; he had seen enough of them"—referring doubtless to events in Missouri and Illinois, which Elder Taylor had discussed. "He had been mortified to see the enthusiasm [almost riotousness] manifested here today. Said he had used his influence and powers of mind and reason to keep the people from doing that which they believed to be their imperative duty. He hoped and believed that all matters would be amicably adjusted, and we in peace again."³³ With this the meeting closed.

32. The full report of Governor Cumming to Secretary Cass will be found in *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, pp. 91-97.

33. *History of Brigham Young, Ms.*, entry 25th April, 1858, pp. 443-4.

This meeting Stenhouse represents as "an understood thing;" that the participants were but acting the parts of seeming boisterousness and disorder; and represents that years afterwards Governor Cumming in conversation declared to him [Stenhouse] that "it was all humbug," and "all of a piece with the incidents of his passage through Echo canon."³⁴ Stenhouse urges that such subterfuge was resorted to on the one hand to save Brigham Young from an appearance of personal submission to Gentile authority, and on the other to save President Buchanan from "the appearance of folly in the beginning, and weakness in the ending, of the 'Utah Expedition.'"³⁵ Just how this was achieved by playing at boisterousness in this meeting is not very clear. Linn after presenting the Stenhouse view of the matter half skeptically remarks: "If all this was a piece of acting, arranged by Young to show his flock that he was making no abject surrender, it was well done."³⁶

On one point Governor Cumming appeared extremely sensitive. One of the speakers (Clements) had inadvertently said that President Buchanan as a climax to his atrocities had appointed "a Missourian to govern the Mormons;" whereupon the governor somewhat excited shouted that he was "*no Missourian*"—"I am a Georgian, sir; a Georgian!" The speaker stood corrected. A line in one of the Utah campfire doggerels made the same mistake:

"Old Sam has sent I understand
Du dah!
A *Missouri ass* to rule our land,
Du dah! Du dah day, etc."

George A. Smith, the church historian, also believed up to the arrival of Cumming in Salt Lake City, that he was not only a "Missourian," but one of the Jackson county mob. "I supposed from his name," said he in his speech before the Peace Commissioners, "he was one of the Jackson county mob-

34. *Rocky Mountain Saints*, p. 393.

35. *Ibid.*

36. *Story of the Mormons*, p. 509.

bers. I have but recently learned that he is *not* the Cumming of the Jackson mob, but a gentleman from Georgia. From the first I heard of his appointment until I saw his face, I held him in utter horror and detestation"³⁷—confounding him with one Cumming, an Indian agent at Independence, Jackson county, Missouri, whose name is signed with a number of others of the Jackson mob, to a manifesto against the saints.³⁸ The likelihood of the boisterousness of the people at this meeting being a planned and acted affair, is extremely unlikely. It should be remembered that it was Governor Cumming who gave the opportunity for any one in the congregation to address the meeting on topics of interest to the community. Was he in the plot? And why should Brigham Young be interested in saving the face of President Buchanan in sending an army to Utah?

In the afternoon the saints again assembled, and President Young addressed the meeting. He expressed confidence that in the "present move of the saints [meaning their abandonment of their homes—all the while going on—] * * * God would overrule for their good, and it would redound to his honor and glory." He "exhorted the brethren to be patient and let the Lord work. Said he did not think we were prepared to meet the blow, and therefore thought the Lord would avert it for a time."³⁹

GOVERNOR CUMMING AND THE MOVING SAINTS

Meantime the "move south" continued; hundreds of wagons, daily thronged the highways, and the settlements of Utah county were crowded with south-bound emigrants for an unknown destination. Governor Cumming made several journeys along this line of moving caravans between Provo and Salt Lake City, vainly pleading with the people to return to their homes. On one of these journeys from Provo

37. *History of Brigham Young, Ms.*, June, 1858, p. 647.

38. *Ibid*, p. 370.

39. *History of Brigham Young, Ms.*, 1858, pp. 445-6.

to Salt Lake City, in company with Colonel Kane, he met four hundred wagons between Provo and Willow Creek (a small stream east of the settlement of Draper); and two hundred more between that point and Salt Lake City.⁴⁰ In a subsequent journey between Springville and Salt Lake City (May 6th), the same gentlemen met eight hundred teams *en route* south.⁴¹ Cumming appealed to Brigham Young to know "if there was not some way to stop the moving. President Young replied that if the troops were withdrawn from the territory, the people would stop moving; but that ninety-nine out of every hundred of this people, would rather live out their lives in the mountains than endure the oppression the federal government was now heaping upon them." Governor Cumming said "he would show [ex-] Governor Young his reports to the government: and he would do all he could to prevent the troops from coming into the settlements, and more from coming into the territory (the California mail had a few days before brought word that the government was about to send six thousand more troops to Utah); and if they would come in [i. e. in spite of his efforts] he would say to the people 'take care of yourselves.'"⁴²

At this outburst of feeling, so favorable to the people of Utah, President Young humorously remarked—"In that case you might as well join us and 'use them up' [i. e. the army]: Cumming answered he could not quite come to that yet."⁴³

DEPARTURE OF COLONEL KANE FROM UTAH—ARMY ACTIVITIES

In the midst of these conditions Colonel Kane received word of the death of his father, Judge John K. Kane, and felt the necessity of hastening his departure for the east. On the 4th of May, in an interview, Governor Cumming informed President Young of his intention to return to Camp Scott

40. *Ibid*, p. 475.

41. *Ibid*, p. 490. "It made Governor Cumming feel bad to see the moving," says the chronicle.

42. *History of Brigham Young, Ms.*, entry for 30th April, pp. 469, 470.

43. *Ibid*, pp. 567-8.

and bring in Mrs. Cumming. He would require the army to remain where it was until he got returns from the dispatches he had just prepared to send to Washington by Colonel Kane, and if they refused to obey his orders, *he would call upon the militia of the territory to see that they did.*"⁴⁴

This matter of the movement of the troops from Camp Scott to Salt Lake valley was rapidly approaching a crisis. Spring had come; the road ways and canons would soon be relieved of snowdrifts and become passable. The cattle on Henry's Fork of Green river, guarded by Colonel Cooke's dragoons, had thriven well, and from that quarter sufficient teams could be had to move two hundred wagons. The supply trains that had been parked during the winter at Fort Laramie were approaching Camp Scott, under Colonel Hoffman's command. So, too, was Captain Marcy with 1,500 mules and horses he had collected during the winter in New Mexico, the herds being guarded by an escort of five companies of infantry and mounted riflemen. More than three thousand reinforcements had concentrated at Fort Leavenworth and with abundant supply trains were prepared to march. Johnston himself had sent word to Governor Cumming of his intention to arrive in Salt Lake City on the first of June, and that he would "plant one [army post] in Salt Lake City, and another on Provo Bench."⁴⁵ Hence if anything was to be done to head off this movement, and save the territory from the threatened devastation by the people, it must be done at once.

On the 13th of May Governor Cumming and Colonel Kane left Salt Lake City, the latter to continue his journey eastward with dispatches from Governor Cumming to the administration, the former to bring in his wife and dissuade Johnston from taking up his march for Salt Lake City until he could receive answers from his dispatches to President Buchanan.

44. *Ibid.*, p. 475.

45. *Ibid.*, pp. 500-1.

COLONEL KANE APPROVES PRESIDENT YOUNG'S COURSE

Before leaving the city Colonel Kane assured President Young, in conversation, that he approved of the course he and the saints had taken, saying—"It is the cream of creams. You have taken the right course, and I want you to keep it; I would not have had you take any other course for anything." This President Young reported to a number of the brethren a few days after the departure of the colonel for the east.⁴⁶ On the same occasion President Young also stated that Colonel Kane had said that in conversation with President Buchanan on the eve of his [Kane's] starting for the west, he had told the president of the United States that "*as an American citizen he would make an apology for him to Governor Young, as it was due for not sending him a notice that he was going to send an army to Great Salt Lake City.*"⁴⁷

Referring to this and to the support of his policy by Colonel Kane President Young said: "This is the reason why we have let the army alone. Kane said, 'I have feared all the time you would chew that whole army up.'"⁴⁸ President Young added "that General Sam Houston had it right when he said, 'if you [the United States] make war upon them [i. e. the 'Mormons'], you will get awfully whipped.'"⁴⁹

COLONEL KANE HATED AT CAMP SCOTT

At Camp Scott, Kane was heartily disliked, and even hated. It was plainly to be seen that if his efforts for reconcilia-

46. *History of Brigham Young, Ms.*, entry for May 24th, 1858, pp. 567-8. Also *Woodruff's Journal*, entry for 25th of May, 1858.

47. *Ibid.*

48. *Ibid.*, p. 568.

49. *Ibid.* Houston's speech referred to will be found in *Congressional Globe*, 35th Congress, 1st Session, pt. i, pp. 873-5, 25th Feb., 1858, also in part, this *History*, chapter cvii. Houston said: "They [i. e. the 'Mormons'] will fight; and if they fight he [Johnston] will get miserably whipped." For further comment by Senator Houston upon the probable results of a war with the "Mormons," see Note 1, end of chapter cviii. Doubtless the senator's views upon the advantages that he supposed were with the people of Utah, in the event of war, were extravagant; but they were shared by many other people, and it was to the advantage of the saints that such was the case. Many others, and among them Colonel Johnston, held other views, and regarded the resistance that the people of Utah could make as not very formidable. Happily the issue of opinion thus joined, never came to trial.

tion were successful, the army sent to Utah with so much pomp and circumstance, but which had suffered so much both of physical discomfort and humiliation of military pride, would have no opportunity of making conquest of the "wretched fanatics," by whom it had been placed at such disadvantage in the eyes of the country, and of the world. It was reported that two attempts were made upon the colonel's life at Camp Scott, but what grounds existed for such report our annals do not disclose.⁵⁰

The colonel was accompanied by a special mounted escort of six men, selected by President Young, with reference to their experience as plainsmen, endurance, fidelity, and courage. Major Howard Egan was commander of the escort, of which John Murdock, —— West, John Q. Knowlton, —— Van Ettan, and —— Worthing were the members.⁵¹

The overland journey from Fort Bridger to Florence, Nebraska, the "Winter Quarters" of previous years—was made in twenty-three days; and here, after entertaining them at dinner, where he expressed his gratitude for their attentions to, and their watchfulness over him, Colonel Kane separated from his escort, excepting Major Egan, who accompanied him to Washington, in order to bring return dispatches from the administration; his companions of the escort, meantime, awaiting his return at Florence.

50. Thomas Bullock writing from Chimney Rock,—some distance east of Fort Bridger,—while *en route* for Salt Lake City, wrote the editor of the *Millennial Star*, under date of 27th of May, as follows: * * * I understand that hell is at Fort Bridger, and we don't want to go there. The soldiers were as mad as devils when Colonel Kane and his escort passed through their midst; and they have made two attempts to kill the colonel, but have failed" (*Millennial Star*, vol. xx, p. 476).

51. *Millennial Star*, vol. xx, p. 467. *Murdock's Biographical Sketch*, Tanner, 1909, ch. vii.

CHAPTER CXIII

PRESS CRITICISM IN THE UNITED STATES AND IN EUROPE ON THE BUCHANAN ADMINISTRATION FOR ITS COURSE TOWARDS UTAH

MEANTIME important events had been happening in the east. President Buchanan found his administration severely criticized for sending an army to Utah without first ascertaining by an official investigation whether or not there was any occasion for such a spectacular movement.¹

GENERAL SCOTT'S OBJECTIONS TO THE "UTAH EXPEDITION"

It is now known that Lieutenant General Winfield Scott did not approve of sending the army to Utah at all, on "the general ground of inexpediency," and especially because the season at which it was concluded to send the army "was too late for the troops to reach their destination in comfort or even in safety; he expressed the belief that the movement was inaugurated merely to give occasion for large contracts and expenditures, that is, to open a wide field for fraud and speculation;" but he exonerates Governor Cumming, General Johnston and the army officers generally from both knowledge of, and complicity in, the scheme.

"The 'Expedition' set on foot by Mr. Secretary Floyd, in 1857, against the Mormons and Indians about Salt Lake, was, beyond a doubt, to give occasion for large contracts and expenditures, that is, to open a wide field for frauds and speculation. This purpose was not comprehended nor scarcely suspected in, perhaps, a year; but, observing the desperate

1. Linn, influenced by the statements of Stenhouse (*Rocky Mountain Saints*, p. 386), denies that the administration was influenced to change its policy by criticism for sending an army to Utah before an inquiry into the causes of the alleged offenses had been made, and takes to task Bancroft for accepting "the ridiculous Mormon assertion that Buchanan was compelled to change his policy toward the Mormons by unfavorable comments 'throughout the United States and throughout Europe.'" (*Story of the Mormons*, p. 501, and note). Bancroft's statement (*History of Utah*, p. 529) is not sustained by citations of authority for his declaration, but the evidence will be supplied by the text and citations in this chapter.

characters who frequented the secretary, some of whom had desks near him, suspicion was at length excited. *Scott protested against the 'Expedition' on the general ground of inexpediency*, and especially because the season was too late for the troops to reach their destination in comfort or even safety. Particular facts, observed by different officers, if united, would prove the imputation. The governor of the territory, Mr. Cumming; the commander of the troops, Brigadier General A. S. Johnston, and our officers, stood above all suspicion of complicity."² In the book, *Mr. Buchanan's Administration on the Eve of the Rebellion*, Mr. Buchanan is represented as being no little surprised to learn that General Scott "had protested against the 'Utah Expedition.' " The president could not have inferred the "existence of any such protest;" and the author further claims that "most certainly Mr. Buchanan, until he read the autobiography [of Scott], never learned that General Scott had protested against the 'Utah Expedition.' "³ On the contrary "General Scott explicitly states that they, (the instructions to the 'Utah Expedition') had been prepared in concert with the war department and sanctioned by its authority whenever required."⁴ The book, *Mr. Buchanan's Administration on the Eve of the Rebellion* does not give the name of the author, but being published by the Appletons, is a guarantee of a reliable work. It may be that the protest of General Scott was expressed only to the secretary of war, his immediate head in the military department, and had no further hearing; but we must needs accept the statement of his *Memoirs* or question the veracity of a man who, while possessed of many foibles in character, was nevertheless possessed of the soldierly quality of a high sense of honor, of which truthfulness is necessarily the basis.

2. *Autobiography of Lieutenant General Winfield Scott*, Sheldon and Co., publishers, New York, 1864, p. 604.

3. Published by Appleton and Co., New York.

4. *Autobiography of Lieutenant General Winfield Scott*, p. 604.

SENATOR WILSON AND THE METROPOLITAN PRESS DEMAND AN INVESTIGATION

We have already seen that General Harney had no stomach for the Utah enterprise, and that very likely he induced his friend, Governor Walker, to represent to the war department that his presence was so necessary in Kansas that he should be relieved of the command of the "Utah Expedition;" though lateness in starting, and the fears of General Harney of the rigors of a probable winter in the mountains, are assigned as the reasons for this manifest reluctance.

Senator Henry Wilson of Massachusetts, in the senate of the United States, as early as January 27th, 1858, introduced a joint resolution authorizing the appointment of a commissioner to examine into the "Mormon" difficulties "with a view to their adjustment;" and although this resolution was referred to the senate committee on military affairs, and was never heard of again,⁵ yet the *New York Tribune* took up the matter, and commented at length upon Mr. Wilson's resolution, showing that the country at large was very much in need of ascertaining by "thorough investigation the grounds upon which we [i. e. the United States] stand, and a distinct settlement in our own minds of what precisely we intend to do, and the means and methods which we propose to employ;" and adding: "as yet, as to all these points, there prevails both in the public mind and at Washington, upon this subject, nothing but the most vague ideas." The *Tribune* reminds the administration that "the vast expense which must attend the maintenance of our army in Utah, not to mention the horrors of civil war, and the desperate character of the resistance which the Mormons threaten to oppose to the entrance of the troops, affords abundant reason why the necessity of this operation should be fully established and its object clearly explained."⁶

5. *Atlantic Monthly*, April, 1859, p. 476. *Congressional Globe*, 35th Congress, 1st Session, pt. i, p. 428.

6. *New York Tribune*, Jan. 30th, 1858. This *History*, Note 1, end of chapter.

But previous to this, when the news of "Mormon" resistance to the army by burning the grass of the ranges, and also burning some of the supply trains, reached the east, very widespread and severe criticism was made of the government's course, not only in sending the army so late upon its long march to Salt Lake valley, but going beyond that into an inquiry as to why it was sent at all. A correspondent of the *New York Herald*, under date of November 12th, wrote:

"Justice to the gallant men who have been ordered on this needlessly desperate service, requires that the plain unvarnished facts should go out to the country; so that, in the event of a disgraceful catastrophe (which from all appearances, does not seem improbable), the public may know with whom to settle the account."

On the 23d of December, Mr. Warren, representative from the state of Arkansas, moved the adoption of a resolution directing an inquiry into the propriety of excluding Utah's delegate from a seat in the house on account of "the territory being in a state of rebellion against the United States;" whereupon the *New York Daily Times* points out that this was improper procedure, and adds:

"This action strikes us as being much more hasty than wise. It is like most of the anti-Mormon movements—the result of impulse rather than good policy or common sense. It would puzzle ordinary men, we suspect, to explain why a hostile army was sent against Utah at the outset. There were undoubted disorders in the affairs of the territory; but it has never yet been shown that they were such as could only be remedied by fire and sword. * * * The whole Utah business has been mismanaged in the most extraordinary manner from the beginning; and if it does not end in open and bloody rebellion, it is not likely to be saved from that issue by any special wisdom on the part of the general government."

The *New York Tribune* commenting on a letter received from its own Utah correspondent, dated Nov. 5th, and there-

7. *New York Herald*, Nov. 12th, 1857, copied into *Millennial Star*, vol. xix, p. 814.

8. *New York Daily Times* of Dec. 24, 1857. "The tone of the debate," says Colonel Albert G. Brown, in *Atlantic Monthly* for April, 1859, "showed there was little difference of opinion in the house concerning Utah affairs; the unanimity, however, being due in part to ignorance and indifference. The issue of slavery in Kansas was absorbing. Mr. Warren's resolution was referred to the committee on territories, and slumbered upon their tables through the whole session" (p. 476).

fore depicting conditions attending the "Expedition" at their worst, said:

"The annals of military operations are sufficiently full of disastrous blunders; but they will scarcely furnish a more striking instance of the kind than this sending of two thousand men a thousand miles into the wilderness, to pass the winter at that dreary place. For any purpose of operating against the Mormons, these troops would have been a hundred times better posted, had they remained in Kansas. A start from Kansas early in the spring would have brought them to Salt Lake City by midsummer,—quite as soon as they can expect to arrive there now, even if the cold, and the Mormons, and the diet of lean beef, which forms the chief part of their rations, should leave them, when the spring opens, with numbers, strength, or spirit for the enterprise."

Again, the *Tribune* said:

"Had it been the object of the government to encourage Brigham Young to oppose the entrance of the troops into Utah, and to aid the Mormon leaders in working up the fanaticism of their deluded followers to the highest pitch of desperate resolution, they could hardly have chosen a method of procedure better adapted to that end. If the troops, according to the original plan, had pushed forward in the spring and arrived in Utah by July, as they might and should have done, it is not likely that any resistance would have been opposed to their entrance into the country, or that the civil officers would have found any serious difficulty in entering upon the formal discharge of their duties."

After this the same great *Journal* proceeds to point out that the administration had exposed itself to the suspicion that *it never intended any movement against the "Mormons" at all*, but that its "fell purpose" was to coerce the freestate men of Kansas to accept the policy of the administration for the admission of Kansas as a slave state. Following is the passage from the *Tribune*:

"The political exigencies of Kansas, and the retention of the troops in that territory to aid in keeping down the freestate men, and sustaining the border-ruffian regime, having interfered with this movement [i. e. the early departure of the troops for Utah], evidently the true policy would have been to have held back the troops for the winter. In that case, the Mormons, would probably have regarded the 'Expedition' as abandoned. At all events the interval might have been employed in disseminating among them a more correct idea of the real object of the enterprise; and when the army moved forward in the spring, it might have been in such force as to deter the Mormon leaders from the idea of an armed resistance.

Instead of either of these reasonable courses, *finding itself exposed to the suspicion of never having really intended any movement against the Mormons*, the government undertook to relieve itself from that charge by precipitating the troops, just at the beginning of the winter, into a position where they can do no good, where they are exposed to suffer greatly, and in which, worn down and diminished in strength and numbers, as they necessarily must be by a winter spent in cantonments under such circumstances, should the Mormons attack them in the spring, they may have great difficulty to maintain themselves till supplies and reinforcements can come up.

In addition to all the other criticisms to which this unlucky winter encampment at Fort Bridger lies open, in the present state of the federal treasury, the expense of it is not to be overlooked. The exceedingly heavy cost of transporting to such a distance and through such a country a six or eight months' supply for two thousand men will be entirely thrown away."⁹

Referring again to the subject in January, the *Tribune* said:

"The government at Washington, by its shameful mismanagement of this whole 'Expedition,' has placed Colonel Johnston and his whole army in this dangerous position. What does that government intend to do by way of getting them out of it? Does it intend to leave these two thousand men, or such of them as may survive the winter, to be cut to pieces by the Mormons in the spring? If not, something ought to be done at once for their relief and reinforcements. Merely issuing orders for new troops to hold themselves in readiness to march in the spring does not at all meet the necessities of the case. Long before these troops could arrive, it might be all over with the force they were sent to relieve. The responsibility of this whole business rests upon the government, and a very serious responsibility it is. Should Colonel Johnston and his two thousand men come to any harm, their blood will rest upon the heads of those who placed them in their present position."¹⁰

On the 27th of January, a resolution introduced by Mr. Zollicoffer of Tennessee, was passed by a unanimous vote in the national house of representatives requesting the president to submit to the house the information which gave rise to the military "Expedition" to Utah, together with the orders and correspondence; and on the 26th of February this information was sent to the house by the president. When it was published the *New York Herald* remarked that the documents

9. *New York Tribune* quoted in *Millennial Star*, vol. xx, pp. 108-9.

10. *New York Tribune*, 14th of January, 1858; *Deseret News* of 21st April, 1858.

"contain nothing of importance on the subject that is not familiar to the public."¹¹

The *New York Times* commenting on the Zollicoffer resolution the day following its introduction, said:

"We are very glad to learn that a resolution was adopted yesterday in congress, on the motion of Mr. Zollicoffer, of Tennessee, calling on the president for information in relation to the difficulty with the Mormons, as to the causes for the 'Utah Expedition,' and whether Brigham Young is actually in a state of rebellion or resistance to the United States authorities. The resolution will probably elicit some highly interesting information, and furnish the people with satisfactory reasons for the extraordinary preparations which appear to be on foot for sending a great military force to Salt Lake City. * * *

The general feeling of the people of the Union in all sections, and of all sects and parties, is so decidedly adverse to the Mormons that the government is not likely to be held to a very strict account for its acts towards them, *even though they should be utterly exterminated, or driven from their present resting place.* * * * We are very glad, therefore, that Mr. Zollicoffer has asked for more light on the subject, and we await the president's reply to the call with no small degree of interest."¹²

The *Times* would doubtless share the disappointment and the disgust of the *Herald*, expressed above, when the documents were published.

In the senate during the discussion of a proposed bill to increase the regular army—which was mainly urged on the ground of necessity because of the unsettled state of affairs in Utah—the administration was subjected to criticism for the course pursued towards Utah. Senator Sam Houston, of Texas, already quoted in a previous chapter and on another phase of the subject said:

"I am opposed to the increase of the regular army; and if it is intended for the Mormons, I tell you that we cannot wait two years to raise troops to subdue them. If they have to be subdued—and God defend us from such a result—and the valley of Salt Lake is to be ensanguined with the blood of American citizens, I think it will be one of the most fearful calamities that has befallen this country, from its inception to the present moment. I deprecate it as an intolerable evil. I am satisfied that the executive has not had the information he ought to

11. *New York Herald* quoted in *Millennial Star*, vol. xx, p. 214.

12. *New York Times*, Jan. 28th, 1858; *Deseret News* of May 5th, 1858.

have had on this subject before making such a movement as he has directed to be made. I am convinced that facts have been concealed from him. I think his wisdom and patriotism should have dictated the propriety of ascertaining, in the first place, whether the people of Utah were willing to submit to the authority of the United States. Why not send to them men to whom they could unbosom themselves, and see whether they would say, 'We are ready to submit to the authorities of the United States, if you send to us honest men and gentlemen, whose morals, whose wisdom, and whose character, comport with the high station they fill; we will surrender to them; we will give up our (political) authority, and act in obedience to the laws of the United States.' If this course had been taken by the executive, I am sure he would never have recommended war; and if the facts had been before the secretary of war, I am sure he never would have made the recommendation which he has submitted to us."¹³

There can be no question, then, but what the Buchanan administration was sharply criticised for its action in sending an army to Utah without previous official investigation of the alleged misconduct on the part of the Latter-day Saints and their leaders; and that criticism during the winter grew sharper as the scandals about the contracts for army supplies and their shipment across the plains began to develop;¹⁴ and again sharper when news of the "Mormon Exodus from Utah" reached the east, and the public mind was made to realize the seriousness of the administration's blunder in sending troops to Utah.¹⁵

Early in February dispatches were sent from Washington to the *New York Herald* reporting that Utah's delegate to congress, Dr. Bernhisel, had held several long consultations with President Buchanan, in which he had proposed that the army should be withdrawn from Utah and that a commission be dispatched to the territory to arrange for the settlement of its difficulties. It was said that the president "rejected rather than received the proposition which Bernhisel made in virtue

13. *Congressional Globe*, for Feb. 25th, 1858, 35th Congress, 1st Session, pt. i, pp. 873-4.

14. Linn declares it was these scandals coming to light that stopped General Scott from going to the Pacific coast to direct activities against Utah from that point (*Story of the Mormons*, p. 500).

15. For a collection of these criticisms following the news in the east that the "Mormon" exodus had begun, see Note 1, end of this chapter.

of his power as delegate from Utah, and *not* pursuant of instructions from Governor Young."¹⁶

Two days later the Washington correspondent of the *Herald* wrote:

"That propositions for the prevention of hostilities in Utah have been seriously talked over with the president is unquestionable, and that he would accede to honorable arrangements by which the effusion of blood could be spared is a matter on which I can entertain no manner of doubt. * * * If President Buchanan can get rid of the Mormons by negotiation, instead of by the sword, he will find many to sustain him in this measure. However much the Mormons may be despised, and however much their doctrines may be abhorred, fratricidal war is repugnant to the feelings, and only a dire alternative which finds approbation when every other means have failed. Many who anticipated a job, and counted on the part of the spoils to be gathered from fitting out 'Expedition' after 'Expedition,' with all the paraphernalia of war, the subsistence of troops, etc., may be disappointed and cry out *war, war*, still more lustily; but the satisfaction of those who have no such hopes, and who would undoubtedly be called upon to replenish the treasury to the tune of forty or fifty millions before the war was ended, as that sum has frequently been named in connection with this prospective war, will be a compensation to outbalance the disappointment of the former. Again: who can calculate the amount of misery which would, as a matter of consequence, befall thousands of harmless women and children, should that territory be put to the sword. * * * It is probably premature to speak of withdrawing the troops; but that hostilities may be retarded to permit of the last effort being made to settle peaceably the difficulty, by vacating the territory or by some other compromise, is neither impossible nor improbable. You would be astonished to see how many favor this new move."¹⁷

THE APPOINTING OF A PEACE COMMISSION FOR UTAH

It may be that President Buchanan rejected proposals from Bernhisel early in February, but later he evidently thought better of them; at least so far as to appoint a Peace Commission to effect a settlement of affairs in Utah; for in April, President Buchanan appointed as Peace Commissioners to Utah Messrs. L. W. Powell, who had lately been governor of the state of Kentucky, and was now

16. Washington dispatches to the *New York Herald*, 1st and 5th of February, 1858.

17. Washington correspondence to the *New York Herald*, copied into the *Deseret News* of April 7th, 1858.

United States senator-elect from that state; and Major Ben McCulloch, of Texas, who had served with distinction in the war with Mexico. The president entrusted them with a signed "Proclamation of Pardon," bearing the date of the sixth of April, 1858. It recited at considerable length the offenses popularly alleged against the Latter-day Saints and their church leaders, declaring them to be in a state of "rebellion" and "treason," yet "in order to save the effusion of blood, and to avoid the indiscriminate punishment of a whole people for crimes of which it is not probable that all are equally guilty," he offered "a free pardon to all who will submit themselves to the authority of the federal government." As this action was taken before the possibility of the reception of the news in the east that Colonel Kane had succeeded in bringing Governor Cumming into Salt Lake City without troops, and having him "everywhere recognized as the governor of Utah;"¹⁸ and before the news could possibly have reached the east that President Young had inaugurated the desertion of Utah by the Latter-day Saints—threatened as a possibility from the beginning of hostilities—the action in appointing this Peace Commission, could have been caused by no other consideration than that rising storm of public criticism, awakened first by the spirited resistance of the people of Utah under the leadership of Brigham Young; and deepened when it became known that the saints were actually deserting their settlements, with every preparation made to lay waste their country and leave it a fire-blackened desolation.

THE QUESTION OF "TREASON" AND "REBELLION" ON THE PART OF
THE LATTER-DAY SAINTS

Of course, technically speaking, the issuance of President Young's proclamation forbidding the army for Utah to enter Utah territory, or if it had entered to lay down its arms and return by the route it had come; and following this by the overt

18. That news did not reach the administration until early in June. See Special Message of President Buchanan to congress, dated June 10th, 1858 (*Messages and Papers of the Presidents*, vol. v, p. 487).

acts of burning the ranges, running off the army stock and burning its supply trains—by which its very existence was put in jeopardy—all this, I say, laid the people of Utah open to the charge of “treason” and “rebellion;” but the question to be considered by the reader and the student of history is: *Were they fairly open to such a charge before the army was started on its march to Utah?* The situation briefly stated was this: Here is a community against whom, it is true, are alleged many offenses—but the charges are made by very questionable characters—and none of the charges previous to the appearance of the army upon the scene by any stretch of interpretation could have been made to reach the bad eminence of “treason” or “rebellion;” and, moreover, the truth of these charges was stoutly denied by the saints, and an investigation demanded by them. Then *without investigation and without official notification of its intention*—much less explanation of its purpose—*the administration sends an army to Utah*, which by popular rumor, by declaration of the press of the country, as well as by the braggadocio of the teamsters and camp followers, the purpose of the army for Utah is declared to be to make a war of conquest upon the saints, to whip them into submission, to crush out a “rebellion” which, up to that time, really had no existence. The church leaders, instructed by sad experience, by these threatening portents, were made apprehensive of the loss of their liberties, of the destruction of their homes, of the sacking of their towns and settlements, of the violation of the chastity of their women, of their community existence. Fearful of these direful calamities, Governor Young declared the approaching army a mob and proposed treating it as such; his people to a man sustained his position; and the army was so regarded and so treated. Then the saints are proclaimed “traitors” and “rebels.” Be it so. But the truth known, their “rebellion” and “treason” shall be to them titles of honor, since they were acquired not in seeking the overthrow of the federal government, nor to establish an-

archy, but—from their viewpoint—to preserve their liberties, to perpetuate the American principle of home rule, to defend the purity and integrity of their homes, to maintain religious freedom, and to establish for themselves and their posterity the right of community existence.

In this connection it should also be said, that while the orders issued to captains in the field directing them when raiding the stock herds or burning trains of the "Expedition" "to take no life," except in self-defense, may not be regarded as eliminating the element of actual war from the resistance to the advance of the army into Salt Lake valley; nor, strictly speaking, does it eliminate the element of "treason"—since treason is declared by the Constitution itself to consist in levying war against the United States, or in adhering to their enemies or giving them aid or comfort; nor can the "shed-no-blood" clause argue that bloodshed is necessary to rebellion or treason; but all this does indicate that there was an absence of desire to shed the blood of their fellowmen, that they would, if they could, avoid coming to sword thrusts with the general government. The order, doubtless, grew out of that generally accepted idea that the taking of human life is the deed which always characterizes the beginning of civil warfare. As the *New York Tribune* said at the time:

"In point of law, the shedding or not shedding of blood might make no difference. In point of sentiment and feeling, and of action stimulated by sentiment and feeling, it makes a great deal. Hence, in these cases, it is always a great point to throw the responsibility of the first bloodshed on the opposite party. Brigham Young has sense enough to know that, great as is the existing antipathy against him and his people, a conflict commenced by his orders, in which the blood of United States soldiers should flow, would greatly aggravate it. On the other hand, it may be found that extreme proceedings against Major Taylor, [a Utah militia officer captured by United States troops and at the time held a prisoner], who, it seems, is charged with high treason, as having been one of the party concerned in stopping and burning the provision wagons, will produce a state of feeling in the Mormons which, perhaps, in the present position of the troops, might as well not be precipitated."¹⁹

19. *New York Tribune*, quoted in *Millennial Star*, vol. xx, p. 108.

THE EMPHASIZED EARNESTNESS OF THE SAINTS

Governor Young's Proclamation, which designated the United States army for Utah as a mob, and forbade its entrance into the territory, or, if it had already crossed its borders, then to depart by the way it came; followed as it was by steps to hinder the army's progress towards Salt Lake City by burning the grass before it, running off its stock and burning its trains—in themselves acts of war—gave to the world evidence of the terrible earnestness of the saints in resisting an infringement of their rights as American citizens, and what they regarded as a menace to their community existence. If Brigham Young and his followers had the daring to take these war-like measures, which put the forces under General Johnston at their mercy, and exhibited the blundering of an American administration to the world, it was a moral certainty that the saints would go the rest of the way with their program of resistance: they would lay waste their country, flee to the desert, perish by thousands it might be, but they would leave the shame of it to those who had pursued them with military terrors; they would leave the great republic of the western world, to be arraigned before the civilization of an age of boasted religious freedom and Christian enlightenment. Fronted with these great, moral responsibilities there was no other thing for the Buchanan administration to do than to seek a peaceful solution of the Utah troubles by abandoning everything like an armed conquest of the people, and grant them pardon of their offenses, fancied or real.

Hence the Peace Commission for Utah.²⁰ And in that remarkable change of public sentiment towards the Latter-day Saints, which made the Commission possible, and led the press

20. "In their appointment," says Colonel Albert G. Brown, "Mr. Buchanan imitated the example of President Washington, who designated a similar commission to convey his proclamation (providing for peaceful submission within a limited time) to the whiskey-insurgents in Pennsylvania (1794)." (Utah Expedition, *Atlantic Monthly*, April, 1859, p. 485; cf. *History United States*, Bryant-Gay-Brooks, Scribner's, vol. iv, p. 118, *et seq*).

of the country that but a short time before looked complacently upon the prospect of the "Mormon question" being settled by a famine²¹—occasioned by a combination of drought and a plague of grasshoppers, by which the people would be destroyed—to the attitude of defending them against the injustice of the Buchanan administration, and so censuring that administration that its policy was changed (abundantly made apparent in the text of this chapter, and supplemented by the quotations from leading journals in the *Note* following this chapter)—the Latter-day Saints of that period saw the hand of the Lord plainly manifested in their deliverance in a manner most remarkable. So remarkable, indeed, that it has no parallel save only in the softening of the Egyptian Pharaoh's heart towards ancient Israel, that they might accomplish Jehovah's purposes.²² Relating to a local event in its early experience the church had a direct promise of this kind; and one can see no reason why the principle and promise should not be expanded to meet more general conditions of hazard and impending danger, such as the peril involved in the events dealt with in this "Utah War" episode. The local event referred to was in connection with the expulsion of the saints from Jackson county, and their course of action pending arrangements for their return to the lands from which they had been driven:—

"And behold, I [the Lord] will give unto you favor and grace in their eyes [i. e. in the eyes of the people of Clay county, Mo.], that you may rest in peace and safety, while you are saying unto the people, 'Execute judgment and justice for us according to law, and redress us of our wrongs.' * * * And I will soften the hearts of the people, as I did the heart of Pharaoh, from time to time, until my servant, Joseph Smith, Jun., and mine elders, whom I have appointed, shall have time to gather up the strength of my house."²²

21. See *ante*, this *History*, ch. xcvi, footnote 20.

22. *Doctrine and Covenants*, sec. cv:25, 27.

NOTE

CRITICISM OF THE FEDERAL ADMINISTRATION FOR SENDING THE ARMY TO UTAH, AFTER THE NEWS THAT THE THREATENED "MORMON" EXODUS FROM UTAH HAD BEGUN REACHED THE EAST

After describing the settlements in the north part of the territory that had been abandoned, the *New York Tribune* said:

"All these settlements, built up in the course of ten or eleven years by the untiring industry of the Mormons, are now in the progress of abandonment, and decreed, on the advancement of the troops into the valley, total destruction. It is probable, also, though that does not yet distinctly appear, that this abandonment extends to the line of settlements along the shores of Utah Lake, some sixty miles south of Salt Lake City, and of which Provo, containing about four thousand inhabitants, is the principal.

Where these unhappy people are to go, or what is to become of them, does not appear. They are moving south; but, so far as we know, there are in that direction no inhabitable tracts of any considerable extent within seven hundred miles of their late settlements. So extraordinary a migration is hardly paralleled in history. The depopulation of Acadia, a hundred years ago—strong political reasons as there were for it—has not left a very fragrant odor behind it. The driving of the Mormons from their homes, by military terror, will hardly contribute much to the honor of the country, or to the posthumous reputation of Mr. Buchanan's presidency."²³

About a month later the *Tribune* remarked:

"He (Governor Cumming) is evidently very little pleased with the idea of being left governor of a deserted territory, from which the inhabitants had fled at his approach. He exhibits much anxiety to put a stop to the migration of the Mormons. * * * Should the Mormons execute their threat of burning Salt Lake City and abandoning that part of the territory, it may be questioned whether, so far as facilities are concerned for overland communication between the Mississippi valley and the Pacific, anything would be gained by the change. There can be no question that the Mormon settlement has proved a great convenience to travel by that route; and, taking as true all the charges and complaints which have been made against the Mormons, it may well be doubted whether the sort of population which would be likely to succeed them would be found more hospitable or less exacting. To anybody but the Mormons, the Salt Lake valley could hold out little attraction, except as a convenient station for levying a heavy tribute on the travel to and from California; and it is very doubtful whether the miscellaneous vagabonds of the prairies, into whose occupancy the valley would be likely to fall, might not soon become much more obnoxious to travelers by that route than the Mormons ever have been."²⁴

23. *New York Tribune*, May 8th, 1885.

24. *New York Tribune*, June 12th, 1858.

The *New York Times*, two days later, said:

"Governor Cumming seems to have treated the Mormons kindly, but with a good degree of frankness and of firmness. His tone was very different from that observed by Colonel Johnston, in his negotiations at the head of the army,—being much more respectful and conciliatory, and much better calculated to win the confidence and command the assent of the Mormon community. In fact, the whole military movement against them seems to have been a blunder, and to have accomplished nothing. * * * If President Buchanan had begun operations by sending the governor alone, or by sending his ridiculous 'Peace Commission,' and said nothing about an army until these endeavors had been repulsed, there is no great reason to doubt that he would have attained the same result, and saved some ten or twelve millions of dollars to the federal treasury.

* * * The *Union* [an administrative newspaper] will find it difficult to manufacture any great amount of glory for its employers out of the 'Utah War.' Their 'energy' has been mainly shown in rolling up a mountain of expense, without having the slightest possible advantage to show for it.

It is impossible to read Governor Cumming's dispatch without feelings of pity and almost respect for the fanatics who were leaving their homes and plunging into the remote wilderness, to avoid what they were evidently sincere in regarding as tyranny and oppression on the part of the government. Governor Cumming himself was evidently impressed by their earnestness, and by no means inclined to underrate the resistance they would have offered to the violent coercion of the army."²⁵

Three days later the *Times* returned to the subject:

No dispassionate person, whatever his political partialities, can fail to see that the various enterprises undertaken by Mr. Buchanan do not seem to prosper in his hands. * * * The Mormon war was as promising a little quarrel as ever an enterprising statesman gloated over. It contained every element of success and popularity. Impudent imposture, murders, rapes, polygamy, treason, intrusion on the United States' territory, defiance to the government and to public opinion—nothing was wanting to convert our venerable president into a glorious crusader on behalf of law, order, morality, and national dignity. The pudding was full of plums. It, too, has failed him. Even Brigham the prophet has not turned out as well as was expected, and refuses to be a traitor. * * *

The latest news from Utah places the administration in a position marked by a singular mixture of farce and tragedy, and the whole story of the war is crowded by as much ignorance, stupidity, and dishonesty as any government ever managed to get in the annals of a single year. *An army was sent to chastise rebels before it was clearly ascertained whether or not there were any rebels to chastise.*

* * * Whatever our opinions may be of Mormon morals or Mormon manners, there can be no question that this voluntary and

25. *New York Times*, June 14th, 1858.

even cheerful abandonment by 40,000 people of homes created by wonderful industry, in the midst of trackless wastes, after years of hardship and persecution, is something from which no one who has a particle of sympathy with pluck, fortitude, and constancy can withhold his admiration. Right or wrong, sincerity thus attested is not a thing to be sneered at. True or false, a faith to which so many men and women prove their loyalty, by such sacrifices, is a force in the world. After this last demonstration of what fanaticism can do, we think it would be most unwise to treat Mormonism as a nuisance to be abated by a *posse comitatus*. It is no longer a social excrescence to be cut off by the sword; it is a power to be combatted by the most skillful, political, and moral treatment. When people abandon their homes to plunge with women and children into a wilderness, to seek new settlements, they know not where, they give a higher proof of courage than if they fought for them. When the Dutch submerged Holland, to save it from invaders, they had heartier plaudits showered on them than if they had fertilized its soil with their blood. We have certainly the satisfaction of knowing that we have to deal with foemen worthy of our steel.

However this singular affair may end, nothing can release us from the responsibility we have incurred in it. * * * If the conduct of the recent operations has had the effect of strengthening their fanaticism, by the appearance of persecution, without convincing them of our good faith and good intentions, and, worse still, has been the means of driving away 50,000 of our fellow citizens from fields which their labors had reclaimed and cultivated, and round which their affections were clustered, we have something serious to answer for. Were we not guilty of a culpable oversight in confounding the insubordination of conscientious fanaticism with the insubordination of ribald license or ambition, and applying to the one same harsh treatment which the law intends for the latter alone? Was it right to send troops composed of the wildest and most rebellious men of the community, commanded by men like Harney and Johnston, to deal out fire and sword upon people whose faults ever were the result of honest religious convictions? Was it right to allow Colonel Johnston to address letters to Brigham Young, and through him to his people, couched in the tone of an implacable conqueror towards ruthless savages? Were the errors which mistaken zeal generates ever cured by such means as these? And have bayonets and cannon ever been used against the poorest and weakest sect that ever crouched behind a wall to pray or weep, without rendering their faith more intense, and investing the paltriest discomforts with the dignity of sacrifice?"²⁶

26. *New York Times*, June 17th, 1858.

CHAPTER CXIV

PEACE COMMISSIONERS FOR UTAH AGREED UPON—PRESIDENT BUCHANAN'S "PROCLAMATION OF PARDON"

THE Peace Commissioners appointed by President Buchanan left Fort Leavenworth for Salt Lake City, on the 25th of April, 1858. At St. Louis they had selected five ambulances and harness which were shipped to the point of their departure across the plains. Their party consisted of a sergeant and five dragoons, a wagonmaster, five teamsters, and a guide. Each ambulance was drawn by four mules; they also had three saddle horses to relieve the monotony of riding in the ambulances. They had but little baggage and were able to carry sufficient forage for their teams from point to point. They found the ambulances so comfortable as sleeping apartments that they did not carry tents. Such the outfit with which they made the entire journey to Salt Lake City.¹

ARRIVAL OF THE COMMISSION AT CAMP SCOTT AND SALT LAKE

The Commissioners arrived at Camp Scott on the 29th of May, where they remained three days, learning all they could from that point of the recent happenings in Utah. And there was much for them to learn, for at the time of their departure from the Missouri frontiers nothing was known of the success of Colonel Kane's mission. On the 7th of June they reached Salt Lake City, and were astonished at its extent, and at the fact that it was practically deserted, most of the inhabitants, with the church leaders, having joined in the "move south," and had proceeded on their journey as far as Provo, where they were quartered either in the homes of their friends or in temporary board shanties. Word was sent to them of the arrival of the Commissioners and something con-

1. Letter of the Commissioners to the secretary of war, April 25th. (*House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, pp. 163-4).

cerning the nature of their mission and the desire they had for consultation with the leading men of the church. Accordingly a large number of the church leaders and their immediate friends returned to Salt Lake City, and arrangements were made for a meeting at the "Old Council House,"² at 9 a. m., on the 11th of June.

THE COMMISSION IN SESSION AT SALT LAKE

There was a large attendance of leading brethren at the council; Governor Cumming and the new superintendent of Indian affairs, Jacob Forney, were in attendance with the Commissioners. The visitors were seated by President Young on the dais of the court room hall, while himself and associate church leaders occupied seats on the floor of the hall facing them. President Young, acting as the master of ceremonies, introduced the Commissioners to the assembly "who rose to their feet and received them respectfully."³ During the meeting the gentlemen to both sides of the consultation kept their seats.⁴

That morning when on his way to the meeting President Young had met Porter Rockwell, who had just arrived as an express from Echo canon, with the word that General Johnston "had given orders to his army to march on Monday"—14th of June⁵—for Salt Lake City. As soon therefore as the council meeting with the Commissioners was organized, President Young announced his information to the Commissioners, who denied the likelihood of such an occurrence. They had before disclaimed that any control of the movements of the military "Expedition to Utah" had been given to them; but before

2. The windows had been taken out of the "Council House," as indeed they had been from most of the houses in Salt Lake City in the "move south" to preserve them. Those of the "Council House" were replaced before the beginning of the meeting on the 11th (*History of Brigham Young, Ms.*, entry June, 1858, p. 622).

3. Original Notes of Minutes of the Meeting with the Commissioners, *File of Documents*, marked "Powell," etc., 1858, Historian's Office.

4. Minutes of the Council, *History of Brigham Young, Ms.*, June 11th, 1858, p. 630.

5. See Original Notes of Minutes of the Meeting with Commissioners, *Files of Documents*, marked "Powell," etc., for 1858, Historian's Office.



THE OLD COUNCIL HOUSE

First public building in Salt Lake City, place of the meeting of the Peace Conference, 1858, Buchanan's Peace Commissioners and leading authorities of the church. Later used as a statehouse for the meeting of the Utah legislature and still later occupied by the "Deseret University," predecessor of Utah University—General early public utility building—Destroyed by fire 1883.

leaving Camp Scott arrangements had been made by them that the army would not move in its march to Salt Lake valley until its commander should hear from them from Salt Lake City, a statement that was confirmed by Governor Cumming;⁶ but, according to the *Atlantic Monthly* writer, the Commissioners "urged General Johnston⁷ not to delay the advance of the army one moment beyond the time when he should be ready and desire to march."⁸ The likelihood of the former arrangement being the understanding receives support from the fact that when Brigham Young made the above announcement to the Commissioners, "Commissioner Powell assured Governor Young that it would cost Johnston his commission if he should move without authority from them."⁹

As a matter of fact, and notwithstanding the incredulity of the Commissioners, General Johnston had given such an order and acted upon it. It became the subject of a spirited correspondence between Governor Cumming and the general. On 15th of June Governor Cumming wrote General Johnston:

THE CUMMING-JOHNSTON CORRESPONDENCE

"On the 11th and 12th of June a conference was held between the president and leaders of the Church of Latter-day Saints and the Peace Commissioners. I was present at the conference by invitation, and heard a statement made by President Young to this effect: that he had evidence of your intention to advance the army on the 14th or 15th of this month, without awaiting for communications from the Commissioners or myself.

To this statement I gave a prompt and positive denial, alleging that General Johnston would not violate a pledge made by him to the Commissioners and to myself, on the 30th of May, at Camp Scott.

Secretary Hartnett, [the new secretary of the territory], who left Fort Bridger on Friday, the 11th, being the first day of the conference

6. *History of Brigham Young, Ms.*, June 9th, 1858, p. 662.

7. Johnston during the winter had been made brigadier general by nomination of the president and confirmation by the senate, "Uniform discretion manifested in his command of the 'Utah Expedition,'" being the ground of the promotion.

8. *The Utah Expedition, Atlantic Monthly*, April, 1859, p. 486.

9. *History of Brigham Young, Ms.*, entry 11th June, 1858, p. 629. This incident has been grossly exaggerated and given dramatic and untruthful form in Tullidge's *Life of Brigham Young*, and his *History of Salt Lake City*—in the former, chapter xx; in the latter, chapter xxiv.

at Great Salt Lake City, arrived here on Sunday, the 13th instant, and, to my great surprise, informed me that you had requested him to inform the Commissioners and myself of your intention to take up the line of march for this city on the 15th of June.

At the time when this communication was made to Secretary Hartnett the conference had only commenced, you could therefore not have received any communication from the Commissioners or myself. We should necessarily wait to know the result of the conference before communicating with you. I earnestly request that you will make such disclosures as may be made without detriment to the public service which may enable me to reconcile the apparent discrepancy between my statement and that recently communicated through Mr. Hartnett.

I am aware that you will probably have received communications from the Commissioners announcing the termination of the conference previous to the day appointed for your departure from camp, but this does not affect the question. *I stated to President Young that you were pledged not to march until you had received communications from the Commissioners or myself, that you had told me that you would issue a proclamation setting forth your intentions."*

To this Johnston answered on the 19th of June:

"Sir. Your letter of the 15th instant was received today. At the conference with the Commissioners at your tent—it being understood that I could not commence the march from Fort Bridger before the arrival of the supplies, and that the preparation for the march, depending upon their arrival, could not probably be made before the 15th or 20th instant, and understanding from them that they believed before that time they would be able to ascertain the result of their mission—I did say, as represented by you, that '*I would delay the march of the troops until I heard from them;*' but by no means did I intend to give to what I said the binding force of a pledge, should it be in confiction with a good military reason for pursuing a different course, nor did I suppose the Commissioners and yourself so understood it. As I used the language asserted by you to President Young, the distrust, if any is incited, should rest upon me; and I now disclaim any intention of misleading anyone. The instructions of the president to the Commissioners were positive that the army should occupy the territory of Utah, and my orders do not allow the discretion of making delay, unless reasons should be offered for so doing which should appear to me sufficiently cogent."¹⁰

PURPOSE OF THE COMMISSION—DISCUSSIONS

Commissioner Powell stated the purpose of their mission to be to use their best exertions in effecting an amicable

10. The correspondence will be found in full in *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, pp. 114 and 116.

adjustment of the "unfortunate difficulties" existing between the general government and Utah. Major McCulloch, in a few words, concurred in what his associate had said. President Young asked to see the Commissioners' letter of appointment. Powell replied that the request was a proper one and it would be presented, and read to the meeting, but they had neglected to bring it to the meeting with them.

President Young at some length reviewed the history of the settlement of Utah, the coming of, and treatment accorded to, United States officials. He considered also some of the allegations against the "Mormons" in the introductory part of President Buchanan's Proclamation of Pardon, "and acquitted himself and his people, argumentatively and conclusively—first rate," says the chronicle.¹¹ At times his criticism of the administration was severe, and Governor Cumming began interrupting. Commissioner Powell said in an undertone, that he did not want Mr. Young interrupted. Major McCulloch interrupted to say that "it was not agreeable to hear the government spoken against." President Young answered: "Do not mistake me, talking against men (corrupt men) who were in office, [I] was not speaking against the government. Electing a man president did not make him a despot—a king. I'll thank you, major, kindly, if you will correct me wherein I speak against the *government* of the United States."¹²

Commissioner Powell followed President Young. He declined to discuss questions of the past raised by the previous speaker; it was the present and future with which he was concerned. He differed in his opinions from the previous speaker respecting the "wisdom and patriotism of James Buchanan; we believe him sincerely to be a good and patriotic

11. Minutes of the Conference in *History of Brigham Young, Ms.*, 11th of June, 1858, p. 630.

12. President Young had asked Governor Cumming at one of his interruptions if he could be kept still until the halter was put round his neck. To which that gentleman answered, "surely not!" "Neither would you, Major McCulloch," said President Young. Then came McCulloch's objection to having the government spoken against. (Minutes of the Meeting as above).

man;" and he again insisted that General Johnston's movements were erroneously reported to President Young.

"What do you want of us," sharply inquired President Young, which brought matters to an issue.

"We only want you to let the government send in the troops, and that you submit to the laws;—let the army come in, go through and locate lands—protect the inhabitants."¹³

President Young asked Commissioner Powell if he justified Missouri in the treatment of the Latter-day Saints. The Commissioner did not know the facts. The same question was asked relative to the treatment received by the saints in Illinois. Again the Commissioner pleaded ignorance of the facts—"unjustifiable ignorance, perhaps," he conceded.

Other speakers now took part, Erastus Snow and Gilbert Clements. They dealt with the accusations against the Latter-day Saints in President Buchanan's Proclamation of Pardon, and declared that the charges were untrue; the number of them ranged from forty to fifty.¹⁴ President Young remarked that the brethren must have analyzed the proclamation to find so many, and evidently sought to check this kind of criticism of President Buchanan by saying that "these gentlemen," referring to the Commissioners, "were the friends of President Buchanan, and believe him to be sincere, and he did not wish them [i. e. the brethren] to do or say anything that would not present him in as favorable a light as possible."¹⁵

Other speakers followed in the same general tenor as Clements and Snow. Finally President Young said:

13. Original Notes of the Minutes of the Meeting, *Church Documents* of June, 1858, file in Historian's Office; also *History of Brigham Young, Ms.*, entry of June 11th, 1858.

14. "President Buchanan sent by them [i. e. the Commissioners] a proclamation, accusing us of treason and some fifty other crimes, all of which were false." (*Wilford Woodruff's Journal*, entry 11th June, 1858.) "This proclamation contains forty-two false charges into which he [Buchanan] has refused, up to this time, to make the least inquiry or investigation" (Speech of George A. Smith before the Commissioners, *History of Brigham Young, Ms.*, June, 1858, p. 642).

15. *History of Brigham Young, Ms.*, entry 11th June, 1858, p. 635.

"We want some security for our safety."

To which Powell answered:

"We have no more security for you than what is contained in the proclamation—[Buchanan's]."

LIMITATIONS OF THE COMMISSION—NOT INVESTIGATION AND
ADJUDICATION

Commissioner Powell had made it very clear that himself and associate were not sent to *investigate* the charges made against the Latter-day Saints, and practically repeated in President Buchanan's Proclamation of Pardon. The appointment they had received did not authorize inquiry and adjudication, but rather directed them to state clearly what the administration required of the people in order to the granting of a free pardon—recognition of, and submission to, the national authority; admission of the army into the territory without resistance; and a pledge of obedience to the laws and Constitution for the future. And on its part, the administration disclaimed any intent to interfere with the religion of the Latter-day Saints; *that* was recognized as being a matter between themselves and God. "*The Constitution and laws of the United States,*" it was averred, "*could take no notice of their creed, whether it be true or false.*" All which was embodied in the proclamation of the president, that here follows:

BY JAMES BUCHANAN

President of the United States of America

A PROCLAMATION

"Whereas the territory of Utah was settled by certain emigrants from the states and from foreign countries, who have for several years past, manifested a spirit of insubordination to the Constitution and laws of the United States. The great mass of these settlers, acting under the influence of leaders to whom they seem to have surrendered their judgment, refuse to be controlled by any other authority. They have been often advised to obedience, and these friendly counsels have been answered with defiance. Officers of the federal government have been driven from the territory for no offense but an effort to do their sworn duty. Others have been prevented from going there by threats of assassination. Judges have been violently interrupted in the performance

of their functions, and the records of the courts have been seized and either destroyed or concealed. Many other acts of unlawful violence have been perpetrated, and the right to repeat them has been openly claimed by the leading inhabitants with at least the silent acquiescence of nearly all the others. Their hostility to the lawful government of the country has at length become so violent that no officer bearing a commission from the chief magistrate of the union can enter the territory or remain there with safety; and all the officers recently appointed have been unable to go to Salt Lake or anywhere else in Utah beyond the immediate power of the army. Indeed, such is believed to be the condition to which a strange system of terrorism has brought the inhabitants of that region, that no one among them could express an opinion favorable to this government, or even proposes to obey its laws, without exposing his life and property to peril.

After carefully considering this state of affairs, and maturely weighing the obligation I was under to see the laws faithfully executed, it seemed to me right and proper that I should make such use of the military force at my disposal as might be necessary to protect the federal officers in going into the territory of Utah, and performing their duties after arriving there. I accordingly ordered a detachment of the army to march for the city of Salt Lake, or within reach of that place, and to act in case of need, as a *posse* for the enforcement of the laws. But, in the meantime, the hatred of that misguided people for the just and legal authority of the government has become so intense that they resolved to measure their military strength with that of the Union. They have organized an armed force far from contemptible in point of numbers, and trained it, if not with skill, at least with great assiduity and perseverance. While the troops of the United States were on their march, a train of baggage wagons, which happened to be unprotected, was attacked and destroyed by a portion of the Mormon forces, and the provisions and stores with which the train was laden were wantonly burned. In short, their present attitude is one of decided and unreserved enmity to the United States and to all their loyal citizens. Their determination to oppose the authority of the government by military force has not only been expressed in words, but manifested in overt acts of the most unequivocal character.

Fellow citizens of Utah, this is rebellion against the government to which you owe allegiance. It is levying war against the United States and involves you in the guilt of treason. Persistence in it will bring you to condign punishment, to ruin and to shame; for it is mere madness to suppose that, with your limited resource, you can successfully resist the force of this great and powerful nation.

If you have calculated upon the forbearance of the United States—if you have permitted yourselves to suppose that this government will fail to put forth its strength and bring you to submission—you have fallen into a grave mistake. You have settled upon territory which lies geographically in the heart of the Union. The land you live upon was purchased by the United States and paid for out of their treasury. The proprietary right and title to it is in them and not in you. Utah is

bounded on every side by states and territories whose people are true to the Union. It is absurd to believe that they can or will permit you to erect in their very midst a government of your own, not only independent of the authority which they all acknowledge, but hostile to them and their interests.

Do not deceive yourselves, nor try to mislead others by propagating the idea that this is a crusade against your religion. The Constitution and laws of this country can take no notice of your creed, whether it be true or false. That is a question between your God and yourselves, in which I disclaim all right to interfere. If you obey the laws, keep the peace and respect the just rights of others, you will be perfectly secure, and may live on in your present faith, or change it for another, at your pleasure. Every intelligent man among you knows very well that this government has never directly or indirectly sought to molest you in your worship, to control you in your ecclesiastical affairs, or even to influence you in your religious opinions.

This rebellion is not merely a violation of your legal duty; it is without just cause, without reason, without excuse. You never made a complaint that was not listened to with patience. You never exhibited a real grievance that was not redressed as promptly as could be. The laws and regulations enacted for your government by congress have been equal and just, and their enforcement was manifestly necessary for your own welfare and happiness. You have never asked their repeal. They are similar in every material respect to the laws which have been passed for the other territories of the Union, and which everywhere else (with one partial exception) have been cheerfully obeyed. No people ever lived who were freer from unnecessary legal restraints than you. Human wisdom never devised a political system which bestowed more blessings or imposed lighter burdens than the government of the United States in its operation on the territories.

And being anxious to save the effusion of blood, and to avoid the indiscriminate punishment of a whole people, for crimes of which it is not probable that all are equally guilty, I offer now a full and free pardon to all who will submit themselves to the authority of the federal government. If you refuse to accept it, let the consequences fall upon your own heads. But I conjure you to pause deliberately and reflect well, before you reject this tender of peace and good will.

Now, therefore, I, James Buchanan, president of the United States, have thought proper to issue this, my *proclamation*, enjoining upon all public officers in the territory of Utah, to be diligent and faithful, to the full extent of their power, in the execution of their laws; commanding all citizens of the United States in said territory, to aid and assist the officers in the performance of their duties; offering to the inhabitants of Utah, who shall submit to the laws, a free pardon for the seditions and treason heretofore by them committed; warning those who shall persist, after notice of this proclamation in the present rebellion against the United States, that they must expect no further lenity; but look to be rigorously dealt with according to their deserts; and declaring that the

military forces now in Utah, and hereafter to be sent there, will not be withdrawn until the inhabitants of that territory shall manifest a proper sense of the duty which they owe to the government.

In testimony whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed to these presents.

Done at the City of Washington, the
sixth day of April, one thousand
eight hundred and fifty-eight, and
of the Independence of the United States.

the eighty-second
[Signed] "JAMES BUCHANAN."

By the President:

Lewis Cass, Secretary of State."¹⁶

PRIVATE INTERVIEWS—SUBJECT: PASSAGE OF THE ARMY THROUGH
SALT LAKE

The evening session of the conference consisted of a series of private interviews between Presidents Young, Kimball, Wells, and Elder George A. Smith, and the Commissioners. The question discussed was—

"Shall the army come in through the city, and pass through to their winter quarters without molesting or burning."

President Young held a private consultation, first with Commissioner Powell alone; then with Commissioner McCulloch alone; then with both together. This consultation lasted until very late.

While these private interviews were being held, the other brethren assembled engaged in conversation and singing.¹⁷ Erastus Snow prayed.

The second day's conference convened at 10:15 a. m. This day the council chamber was crowded. The first speaker was Elder John Taylor, his speech in the minutes is described as "clear, calm, eloquent, and good." The Commissioners complimented him as he proceeded in his remarks, as they did Elder George A. Smith, who followed him. The latter's speech

16. *Messages and Papers of the Presidents*, vol. v, pp. 493-5.

17. John Kay sang "Ocean Shells," and "To the Land of the West;" Erastus Snow, "White Canoe," and "Wives, Children and Friends;" W. C. Dunbar sang, "Do What is Right," or as recorded in the minutes, "God Will Protect Us in Doing What's Right" (*Original Notes of Minutes, Documents, etc.*, file of 1858.)

is preserved *in extenso* in the church annals *Ms.*—it has never been published; yet, better than any other document extant, it reflects the spirit in which the proclamation of pardon was considered and accepted by the church leaders and the people. It was delivered for the most part in a humorous spirit, but at the vital parts of the issues involved was based on sound judgment and the facts. Excerpts on such points follow:

GEORGE A. SMITH'S SPEECH TO THE COMMISSION

"Our present position is, in many respects, a critical one. We desire, life, liberty and the pursuit of happiness. We claim 'the right to regulate our own institutions, in our own way, subject to the Constitution of the United States.' These constitutional principles and privileges, are dear to us above all things else. We can cheerfully lay our bones in the dust when our days are numbered! but we can *never surrender our constitutional rights*. We can see our wives and children turned out of doors and driven from their homes over and over again, but we can *never disgrace the blood of our ancestors, by submitting tamely to be ruled by bayonets*.

We are Americans! Citizens of this great republic! Our fathers bled for its liberties, which they have bequeathed to us, as a priceless treasure; and no tyrant shall ever wrest them from us.

When the president of the United States refused to listen to our petitions, treating them with silent contempt, and answered our applications for an investigating committee by marching his legions into this territory, when he arrayed his bayonets to sustain the acts of corrupt officials, who had used their official influence to bring destruction upon us, I was ready to throw my * * * body between my children and their bayonets. * * * Mr. Buchanan sends us high-minded and honorable gentlemen; they come the bearers of an executive proclamation, which I have carefully looked at in various ways. My first impression was, that the president was determined to exasperate the citizens of this territory, by official slanders, charging them with a list of horrible crimes, that would incite them to a rebellion which could never have been produced by another cause.

This proclamation contains *forty-two false charges*, into which he has refused, up to this time, to make the least inquiry or investigation. When these charges were first made against us, by anonymous correspondents of the press, and fugitive officials, we denied them, and furnished Mr. Buchanan with sufficient testimony to satisfy any unprejudiced mind, they were false; we called for an investigation and however prejudiced he might have been, the testimony we furnished, must have satisfied him at least that there were two sides to the question. But our repeated demands for investigation were treated with silent contempt, the mails stopped and the army sent; and all the information we received from the government was through stray newspapers which came

in by private conveyance, informing us that the 'Mormons' were to be taught by the bayonet that the 'Christian religion was the law of the land,' or be exterminated. Spurred on by all the prejudice combined speculators, disgraced officials, lying editors, scurrilous, degraded letter writers, and hypocritical priests, could get up, the best appointed army ever concentrated by the United States since it was a government, was on its way to execute the repeated threats of death and extermination to the 'Mormons', when Governor Young, by the voice of a whole people, impelled by the first law of nature, self-preservation, and in the discharge of his constitutional duties, said to the advancing army, 'stop!' and they did stop.

The commissioning of high-minded gentlemen authorized to inquire into the state of affairs here and ascertain the facts, was what we had asked for. We expected them to come prepared to make the necessary investigations, and report the truth, which would set us right before the country. But, gentlemen, you tell us you came not to inquire, that it was not your intention to investigate, indeed that you have *no power* to make inquiries. *Then, what are you authorized to do?* Why, to say to the citizens of the territory of Utah that the president will not use the national bayonets to interfere with their religion,—that he will not deprive them of 'life, liberty and the pursuit of happiness'—that he does not claim such a right, and does not intend [to claim] it. This, gentlemen, as I understand it, is the substance of the message which you have brought us. Am I not right?

This being the case, how does it stand? Simply this way: I have left my homes with my family, kindred and friends, that were not murdered, some five different times. Willingly? Yes! because I was obliged to or fight, and I am afraid to fight. (laughter).

I am a man of peace, and not of war. *I accept the pardon.* I may have some *serious objections* to the form in which it is couched, and to the forty-two false accusations therein. But friends, should we throw ourselves in the attitude of defense against the advancing columns of the army, it brings on hostilities and bloodshed immediately. Let us drop upon this army and crush it in pieces, and it will not end there. One hundred thousand men would probably come here to exterminate us, and to wipe out the administration's disgrace, and even all this might be a matter of moonshine. I was in favor of stopping the army last fall, we gained by that means a winter's quiet. You know a sick patient would pay a large sum of money to physicians to lengthen out a miserable existence, even for a little while. And again our religion forbids the shedding of blood, and inspires dread of the consequences; and above all things the shedding of innocent blood. We are informed, upon reliable authority, that there are many in that army that do not thirst for our blood,—a portion of the soldiers do not want to kill us, and some of the officers do not desire our destruction; so that in coming in contact with those soldiers we would be compelled to put to death those who do not want to kill us, and in this way we might be brought into a position to shed innocent blood, though in justifiable self-defense. Had the administration sent volunteers, who in their hearts desired to

murder us, and who enlisted expressly for that purpose, it would have been far different. Should we be compelled to kill them, we would kill those only, who in their hearts had desired to shed our blood, and voluntarily walked twelve hundred miles to accomplish it."

GEORGE A. SMITH'S VIEW OF GOVERNOR CUMMING

Referring to Governor Cumming and the course he had taken in finally coming to Salt Lake City without troops, Elder Smith said:

"I held him in utter horror and detestation, surrounded as I understood him to be by two thousand five hundred bayonets, and all the other appliances of a formidable army, prepared to come into the midst of our citizens, saying, 'd— —n you, submit to my will or I will pierce your vitals.' These sentiments and feelings I had in my breast toward Governor Cumming; and would have carried them with me to my grave, had he not at length broke out from among this forest of arms, and thrown himself into the midst of the settlements, unescorted and alone, as a citizen governor, who said he was not an enemy, and had not come to trample upon the rights of American citizens. He showed himself brave, generous and noble by this act. He declared he did not wish to govern a people who did not want him; but was ready to fulfil the duties of his office, if desired, and I began to respect him. There is no man, who feels a greater horror and detestation, than I do of a civil officer, who will not go beyond the reach of a bayonet to perform his duty; he is not a man, but a brute, who would undertake to govern freemen on such principles. I see in Governor Cumming a manly, free, generous spirit. He says, 'I come not to govern you as a military despot; but as a fellow citizen.' This is right.

What shall we do next? Shall we go out here into the mountains, and raise a mill pond,¹⁸ that will compel us to shed blood? Shall we be found in this position? Or shall we with all its horns and heels swallow the difficulty, and say, gentlemen, walk in and fulfil your pledges, we have confidence in you. Should the pledges be violated, what better off would they be, then where they are? This is the best policy we can adopt; if they will do as they should do, and let us alone, they can pass along in safety. * * * But, gentlemen, if Mr. Buchanan, actually means, as he says, that the citizens of Utah should have the same privileges as other citizens of the United States, all right; but if I cock my revolver and point it desperately at your head, and say, I mean peace; my conduct looks rather suspicious; and while Mr. Buchanan points at us his artillery, minnie rifles, and bayonets, his promise of peace looks suspicious. Withdraw your armies, and that act would cry louder for peace than a thousand proclamations and promises. It is hard for me to believe that peace is intended while you point your cannon at our

18. The speaker has reference here to the plan that was made in Echo canon to flood part of the canon to make it impassable.

houses; and while they remain there I have good ground to suspect treachery and foul play. I lack confidence in your words unless your actions correspond.

From my known disposition to avoid *personal danger*, (laughter) my military friends on my left, will be but little influenced by the proposals I wish to submit. I propose to say to the army, walk in gentlemen, select your camp grounds, and fulfil your orders. If we take this course, in what light will the nations view our position? The result will be that the civilized world will say, the citizens of Utah are disposed for peace, their desires are not to come into collision with the parent government, if they can honorably avoid it; and as to the long list of charges that have been enumerated against us by Mr. Buchanan in his 'proclamation,' the world will say,—except a few party friends,—Mr. Buchanan don't believe them true, or he would not have pardoned them all indiscriminately; or else he does not feel able to punish them: *but his mistaken policy dictated that charges grave and serious should be enumerated in his 'proclamation' to ease him down from his awkward position without bursting.* Instead of this measure disgracing us in the eyes of intelligent men, it will lift us higher in the scale of humanity. *I say then let us not reject these overtures."*

Elder Smith concluded his remarks in a paragraph through which runs a fine strain of irony:

"As I said before, I have full confidence that Mr. Buchanan will not violate the pledges which he has now made to us—*unless he fully believes that it is for his own interest so to do; and in consequence of the 'peculiar' condition of the treasury, I believe that his interests will not prompt him to do so, during his administration.*"¹⁹

SPEECH OF BRIGHAM YOUNG *et al*—"ZION"

Following this speech there were remarks by James Ferguson, and Gilbert Clements, after which President Young closed the meeting in a speech which the original notes of the minutes characterize as "the finest effort of his life."²⁰ Wilford Woodruff says that "he spoke in the power of God; those Commissioners heard the voice and roar of the Lion."²¹ Unfortunately the speech in full is not extant. One important passage is preserved in the minutes of the conference, bearing upon the settlement of matters by the conference:

19. The speech complete will be found in *History of Brigham Young, Ms.*, entry for June 12th, 1858, pp. 639-653.

20. *Original Notes of Minutes in Filed Documents*, June, 1858.

21. *Woodruff's Journal, Ms.*, entry for June 12th, 1858.

"As to the gentlemen Commissioners, they have no power to investigate the past, but (are) to inquire if we will submit to the Constitution and laws of the United States. We always have, and always expect to. I have no character [i. e. reputation]—no pride to gratify—no vanity to please. If a man comes from the moon and says he will pardon me for kicking him in the moon yesterday, I don't care about it, I'll accept of his pardon. It don't affect me one way or the other."²²

In concluding the conference, President Young called upon William C. Dunbar to sing "Zion;" or, as stated in the original notes of the minutes of the conference, "O, Ye Mountains High,"²³ etc.

COMMISSIONER POWELL ANNOUNCES SUCCESS OF NEGOTIATIONS

At five p. m. Commissioner Powell addressed a public

22. Minutes of Conference with Commissioners in *History of Brigham Young, Ms.*, June 12th, 1858, pp. 653-4. Later at Provo, in remarks at a public meeting, on the same subject, President Young said: "We have no shirt collar dignity to sustain, for we have no character [i. e. reputation] only such as our friends and enemies give us: it is only a shadow and we are willing that they should have the shadow, and make the name of our president [Buchanan] honorable if we can." (Discourse at Provo, June 27th, 1858, *Deseret News*, vol. viii, p. 86).

23. See *Original Notes of Minutes*, p. 8, *Church Documents*, file of 1858. "Zion" is a thrillingly heroic "Mormon" song, written in the spirit of the times by Elder Charles W. Penrose, then a young, active missionary in England, who had not at the time been in Utah or America, but he later became a member of the quorum of the twelve apostles (1904); and a member of the first presidency (1911); and still later first counselor (1913). Two of the stanzas, and one of the refrains, whence the song gets its name, "Zion," follow:

In thy mountain retreat, God will strengthen thy feet;
On the necks of thy foes thou shalt tread;
And their silver and gold, as the Prophets foretold,
Shall be brought to adorn thy fair head.

* * * *

Here our voices we'll raise, and we'll sing to thy praise,
Sacred home of the Prophets of God;
Thy deliv'rance is nigh, thy oppressors shall die,
And the Gentiles shall bow 'neath thy rod.

* * * *

O Zion! dear Zion! home of the free;
In thy temples we'll bend, all thy rights
We'll defend
And our home shall be ever with thee.

Some months following the peace conference, Governor Cumming told President Young that Commissioner Powell had said that he would "never forget the name of Dunbar, as Governor Young had called upon him to sing at the end of the peace conference—'He sang a comic song.' Powell thought it was such a ludicrous movement, it almost looked as though he (Young) regarded the conference as a farce" (*History of Brigham Young, Ms.*, entry for Nov. 12th, 1858, pp. 1082-3). Either Commissioner Powell had a strange sense of humor, or else he had in mind some other song rendered during the conference meetings, of which there were quite a number sung.

meeting in the "Council House" on the general situation in Utah, and the results of the peace conference. No formal action seems to have been taken during the conference on accepting President Buchanan's Proclamation of Pardon, but it appears to have been the general understanding that it was accepted; and upon that understanding Messrs. Powell and McCulloch, on the very evening the conference closed—June 12th—hastened to write the secretary of war, saying:

"We have settled the unfortunate difficulties existing between the government of the United States and the people of Utah. * * * They will cheerfully yield obedience to the Constitution and laws of the United States. They [the 'Mormons'] consent that the civil officers shall enter upon the discharge of their respective duties. * * * No resistance will be made to the officers, civil or military of the United States, in the exercise of their various functions in the territory of Utah."²⁴

This message was sent by special express to Camp Scott, thence to be forwarded to the east with all speed. On the 26th of June a more extended report was made to the war department, giving in some detail the proceedings of the peace conference and quite fairly representing the contentions of the church leaders, in which they are represented as saying—

"They stated that they were attached to the Constitution and government of the United States; they spoke harshly of many of the officials who had held office in the territory: they spoke of the wrongs and injuries heretofore done them; they said they desired to live in peace under the Constitution of the United States. They denied that they had ever driven any official from Utah, or prevented any civil officers entering the territory; they admitted that they burnt the army trains, and drove off the cattle from the army last fall, *and for that act they accepted the president's pardon. All the charges that had been made against them except the one last named, they denied.*"²⁵

On the 3rd of July the Commissioners addressed a supplemental report to the secretary of war, being a statement of their procedure up to that date—the eve of their departure

24. Letter of Commissioners to the Secretary of War, *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, pp. 167-8.

25. *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, pp. 168-172.

for the east. Later, namely August 24th, they filed with the secretary of war, at Washington, the official minutes of the peace conference, signed by Brigham Young and the Peace Commissioners. These minutes are of such importance that they are given here in full with an explanatory note by the Commissioners; and certified by Brigham Young.

Before presenting the document, however, it is due to the truth of history to record the fact that an agreed official statement of what had taken place in the negotiations between the Commissioners and the church leaders was the occasion of some unpleasantness and marred somewhat the departure of the Commissioners from the territory.

Albert Carrington took the minutes of the peace conference, and J. V. Long and Leo Hawkins are named as stenographers, and reported the speeches. But with the exception of the speech of George A. Smith our church annals do not show that any of these speeches were transcribed from the shorthand notes. President Young, it appears, promised the Commissioners copies of the minutes and of their speeches; but for some reason these were not furnished the Commissioners until upon the very eve of their departure. The first draft of the minutes, with their remarks, were very unsatisfactory. Powell would not even attempt to correct them, saying that the report put language into his mouth he never used, and omitted many of his most important remarks. He refused to correct such a document; but said if a correct report of his speeches were sent to him, also the questions he answered, and the speeches of the "Mormons" to which he replied were sent in accordance with the promise of Brigham Young, he would correct the report and return it to them.²⁶ Several consultations were had between Elder Carrington and the Commissioners, the latter showing vexation in the matter, and great anxiety lest "the reports of the conference would be published without the revision of their

26. See correspondence to the *New York Herald*, letter dated Salt Lake City, 2nd July, 1858; also *History of Brigham Young, Ms.*, 31st July, 1858, pp. 841-2.

speeches. Carrington informed them that he did not do things in that style, and assured them that we would not publish anything that was said on that occasion, without the concurrence of the speakers."²⁷ Finally Carrington took the Commissioners to President Young and the matter of the minutes was settled to their satisfaction. President Young signing the minutes of the conference agreed upon, which were afterwards filed as official documents in the war department at Washington, as stated above. A copy of this agreed-upon statement identically and officially signed was delivered to each side of the negotiations.

AGREED-UPON STATEMENT OF PEACE NEGOTIATIONS

"Washington, D. C.,
August 24, 1858.

Dear Sir: We have enclosed herewith a copy of a paper containing a concise statement of what was said in the conference held in Great Salt Lake City on the 11th and 12th of June last, which is certified by ex-Governor Brigham Young, as correct.

We have the honor to be, very respectfully, your obedient servants,
L. W. Powell,
Ben McCulloch,
Commissioners to Utah."

—*Minutes of Conference between Peace Commissioners L. W. Powell and Ben McCulloch and Brigham Young and other 'Mormon' Church leaders:—Official.*

"In the conference held in Great Salt Lake City, on the 11th and 12th of June, 1858, L. W. Powell and Ben McCulloch, Commissioners to Utah, and ex-Governor Brigham Young and others, touching difficulties between the United States government and the people of the territory of Utah, Governor Powell in behalf of the Commissioners, said in substance, as follows:

He stated the object of the mission, and distinctly made known the views and intentions of the president concerning the people of Utah. He stated that the Commissioners had no power to make any treaty or compact with them. The object of the mission was to make known to the people of Utah the policy the president intended to pursue toward them, and to induce them to submit quietly and peaceably to the authority of the United States.

He stated that it was the determination of the president to see that the authority of the United States be maintained in Utah, and that the Constitution and laws of the nation should be enforced and executed

²⁷. *History of Brigham Young, Ms.*, entry of July 3rd, 1858, pp. 761-2; also pp. 759-760.

in this territory; that the president would send the army of the United States to the valley of the Great Salt Lake, in such numbers, at such times, and to such places in the valley or other parts of the territory, as he might think the public interest demanded, and retain it there as long as he should think the interest of the United States required him to do so.

That such military posts would be established in the territory of Utah, and in the valley of Great Salt Lake as the secretary of war should think necessary to protect the emigration to and from the Pacific, prevent Indian depredations, and to act as a *posse comitatus* to enforce the execution of civil process should it be necessary. He said that the object of the president in sending a portion of the army to Utah, was to enforce the execution of the laws, and protect the civil officers of the government in the exercise of the duties of their offices, that in the event the inhabitants of the territory quietly and peaceably submitted to the execution of the laws of the United States, and would peaceably receive the officers of the government appointed for Utah, and permit them without resistance to exercise the various functions pertaining to their respective offices, there would be no necessity for the army to be used to enforce obedience to the civil authority. If they should refuse to receive in a peaceable manner the officers of the government, or should in any way resist the execution of the laws of the United States within the territory, the president would employ if necessary the entire military power of the nation to enforce unconditional submission and obedience to the Constitution and laws of the United States.

If the civil officers of the territory were peaceably received and no resistance made to them in the discharge of their official duties, the army then in the territory, or such portion of it as might hereafter be sent there, would only be used to protect emigrants and inhabitants from Indian depredations.

We stated that it was not the intention of the president, in sending a portion of the army to the territory to deprive the people of Utah of any of their constitutional rights, but to see that the authority of the United States was respected, the civil officers protected and obedience yielded to the Constitution and laws, as enjoined by the president in his proclamation; should they quietly and peaceably submit to the authority and laws of this country, the army would be used as promptly to protect them in all their constitutional rights as it would be to compel obedience to the authority of the United States.

We called their attention to the proclamation of the president which had been distributed among them.

We stated that the president, in order to avoid the effusion of blood, and to cause them to return to their allegiance to our common country, had deputed the Commissioners to make known to them the designs and intentions of the government, and the policy that would be pursued towards the people of Utah, which we had now done. We stated that the president asked nothing of them but what it was their duty as good citizens to perform, and that we trusted our mission would result in the restoration of peace, quiet, and order in the territory.

We further stated that the Commissioners had no power to give an

order to the army, but that we had conferred with General Johnston, and that his army would not march to the valley of Great Salt Lake until he received information from us; that we did not know where General Johnston would make his permanent posts when he arrived in the valley of Salt Lake. General Johnston, however, told us that it was not his intention to station his army in or very near one of their large cities; that such a location would be calculated to demoralize the army; that he wished to make his permanent posts where wood, water, and grass were abundant. Governor Young expressed a desire that the Commissioners would investigate certain charges that had been made against the people of Utah, to wit: as to whether the 'Mormons' had killed Lieutenant Gunnison's party and Colonel Babbitt, and burned the records and library of the federal court, and the truth of the charges made by Judge Drummond and others. The Commissioners declined to go into the investigation desired for the reason that such an investigation was not within their instructions, and that it was impossible for them to do so if they desired it, for want of evidence and time.

Ex-Governor Young and others state that they were and had ever been attached to the Constitution and government of the United States, and desired to live in peace and quiet under the government; they denied all the charges that had been made against them, except the burning of the army trains and driving off the cattle from the army last fall; that they admitted, and for that they accepted the president's pardon; they claimed that they were more ardently attached to the Constitution of the United States than others who made charges against them. Upon the president's views and intentions being made known as set forth herein, it was agreed that the officers, civil and military of the United States should peaceably and without resistance enter the territory of Utah, and discharge, unmolested, all their official duties.

Great Salt Lake City, July 3, 1858."

CERTIFIED BY BRIGHAM YOUNG

"I have examined the foregoing statement of the substance of what was said in the conference held at Great Salt Lake City, Utah territory, on the 11th and 12th of June, 1858, by Governor Powell and Ben McCulloch, Commissioners to Utah, and ex-Governor Young and others, touching the difficulties that existed between the United States government and the people of Utah; the statement in writing examined by me is contained in six pages, hereto attached, and is, in substance a correct synoptical statement of what was said in said conference; the above is correct as far as I can recollect at present.

[Signed] "BRIGHAM YOUNG."²⁸

28. *House Executive Documents*, 35th Congress, vol. ii, pt. ii, pp. 175-177. Very brief minutes of the conference with the promise that "a full report of the sayings and doings at the conference will be furnished by the reporters as soon as they can transcribe their notes," is the statement that appears in the *Deseret News* of June 23rd, 1858. It was this declaration of intention which made the Commissioners apprehensive of the reports of their speeches.

UNDERSTANDING HAD WITH GENERAL JOHNSTON ON MARCH OF
THE ARMY THROUGH SALT LAKE CITY

Referring back to the sequence of events at the close of the peace conference, the Commissioners not only sent off their message to the war department, under date of June 12th, as already stated, but by the same express they sent a similar message to General Johnston, with the statement that the houses, fields, and gardens of the people, particularly in and about Salt Lake City, were very insecure, and the animals of the army would cause great destruction if the greatest care should not be observed in the march, and in selecting camps. The people were also apprehensive that after the army had reached the valley it would not properly respect their persons and property. The Commissioners had given assurances that they would not be molested in these respects, but suggested to General Johnston that it would be well for him to issue a proclamation to the same effect, as it would greatly allay the anxiety of the people. In reply General Johnston congratulated the Commissioners upon the successful termination of their mission, and issued the suggested proclamation in which he said:

"I * * * assure those citizens of the territory who, I learn, apprehend from the army ill treatment, that no person whatever will be in any wise interfered with or molested in his person or rights, or in the peaceful pursuit of his avocations; and, should protection be needed, that they will find the army (always faithful to the obligations of duty) as ready now to assist and protect them as it was to oppose them while it was believed they were resisting the laws of their government."

The general announced to the Commissioners his intention of leaving his encampment on Bear river on the 17th of June; his expectation of reaching Salt Lake City in five days; and closed with the declaration—"I desire to encamp beyond the Jordan on the day of the arrival in the valley."²⁹

On the 14th of June Governor Cumming issued his proclamation of the acceptance and now effective operation

29. All the above communications referred to in the text will be found in *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, pt. ii, pp. 119-121.

of President Buchanan's Proclamation of Pardon to the people of Utah, saying—

"Whereas, The proffered pardon was accepted, with the prescribed terms of the proclamation, by the citizens of Utah; Now, therefore, I, Alfred Cumming, governor of Utah territory, in the name of James Buchanan, president of the United States, do proclaim that all persons who submit themselves to the laws and to the authority of the federal government are by him freely and fully pardoned for all treasons and seditions heretofore committed. All criminal offenses associated with or growing out of the overt acts of sedition and treason are merged in them, and are embraced in the 'free and full pardon' of the president. And I exhort all persons to persevere in a faithful submission to the laws and patriotic devotion to the Constitution and government of our common country.

Peace is restored to our territory!

The governor's proclamation is signed by A. Cumming, governor; and John Hartnett, secretary."³⁰

30. *House Executive Documents, 35th Congress, 2nd Session, vol. ii, p. 113.*

CHAPTER CXV

THE ARMY'S ENTRANCE INTO SALT LAKE VALLEY—RETURN OF THE PEOPLE TO THEIR HOMES

MEANTIME there was no movement among the people then *en march* southward, to return to their homes from the settlements of the south where some, meanwhile, had halted. The question uppermost in their minds, and in the minds of the church leaders was—would the army conduct itself in harmony with the pledges of the governor and Peace Commissioners? Their past experiences with state military commanders, and state militia, justified their skepticism. Might not the army of the United States pursue the same course? Would the army pass through Salt Lake City without quartering itself there? And would it choose a permanent encampment sufficiently removed from that city and other settlements that the distance itself would afford practical separation between the people and the soldiery? For this, both the church leaders and the people required stronger guarantees than verbal promises or written proclamations.

Though not known to the people these had been the instructions of the war department to the army from the beginning of the "Expedition's" movement westward, that is the army was not to be encamped in or even in proximity to any of the larger settlements of the territory.¹

POWELL'S SPEECH AT PROVO—PATRIOTIC

On the 16th of June the people of Provo and the rear division of the moving caravan south, were addressed, on invitation of the church leaders, by Commissioner Powell. The speech, a most admirable and patriotic one, was well received by the people, and many of its utterances cheered.

1. See instructions of General Harney, first commander of the "Expedition" to Captain Van Vliet, *ante*, chapter cv, this *History*—giving to the captain instructions as to locating a permanent encampment for the army.

Yet it was frank in its assertion of what was expected of the people; and equally emphatic in its expression of the purpose and duty of the government towards the people. In proof of which the following excerpts are given:

"The federal government demands nothing of you, fellow citizens, today, which it does not require of the inhabitants of every state and territory within the Union, that you shall be obedient to the laws of your country, that you will respect the civil authority, and that its officers shall be received by you and enter on the discharge of their duties unmolested. All this I am happy to say you assure me you are willing to yield, and you claim that you have never been otherwise. [i. e. inclined].

Another matter—the stationing a portion of the national army among your settlements—was a topic of debate. The president claims and will exercise the right to send the army whenever he pleases, wherever his judgment directs. Indeed it is necessary for him to have that right in order to perform the functions of his office. His intention in sending troops to this valley was not to despoil you of any rights, civil, political, or religious, but to see that the authority of the nation was respected, and the laws executed in this territory."

On the side of the duties of the government to the people, Commissioner Powell said:

"I have told you what the government requires of the people of this territory, and you have told me that you will comply with its requirements. I assure you now that it will sustain you in all your constitutional rights, will listen with patience and attention to the details of any grievances of which you may complain, and will protect you in all your rights guaranteed by the national Constitution, using its military power for that purpose, if necessary. Should it fail in these promises I will be the foremost to denounce it. I believe that I express the feelings of the president of the United States upon this subject. His desire is that you will submit quietly to the laws. He asks nothing more of you. He has acted in this matter according to the duties imposed on him by his official oath. But I trust that all is settled. I hope that seeds of contention will not germinate among the people of this territory. War is a calamity which I ever would avert, but if we do ever come to war, I hope it will be to vindicate the honor of our national flag. I want to see our soldiers facing the enemies of the republic, but American fellow citizens—never! *If this day the nation should be so unfortunate as to become involved in war, and the government should call on the people to fly to arms to maintain our republican Union and glory, I hope there would be more than one Mormon Battalion to rally to battle for our common country.* (Cheers)."

The following patriotic sentiment would find warm echo in the hearts of the people, for it was in strict harmony with their own principles:

"There is a providence which has disentangled this country from many such difficulties [i. e. such as had arisen in the Utah-Federal misunderstanding]. *It is God who rules our destiny.* * * * A nation badly governed would have been incapable of such progress. Why, then, should there be any people, here or elsewhere, who should hesitate to acknowledge their loyalty to that government and its institutions? There may occasionally come a little difficulty, but I tell you that whether it comes in Pennsylvania, South Carolina, or Utah, it will die out. I know there is patriotism enough in the nation if any part of the people refuse obedience to the laws, to enforce submission. But I believe there ought never to be occasion for the government to use force to compel its children to submit. It is a government whose right to existence is the love of the people, and if it ever ceases to deserve that love, *then farewell to the Constitution and the Union of the States.*"²

It is a pleasure to record the fact that Senator-elect Powell remained constant to these patriotic sentiments throughout the Civil War period then dawning. He was one of the senators from a southern state—Kentucky—who remained true to the Union cause to the close of his senatorial term, 1865. His fellow Commissioner from Texas, be it remembered, was appointed in 1861 commander in chief of the southwestern division of the Confederate forces; was an active general in the field against the Union and while reconnoitering the enemy forces at Pea Ridge rode within range of a hidden company of sharp shooters and was mortally wounded. His death occurred on March 7th, 1862.

THE ARMY BREAKS CAMP AT FORT BRIDGER

As already stated in the preceding chapter, General Johnston on the 13th of June gave his order for breaking his winter camp and beginning the march to Salt Lake valley on the same date. The scene, at once imposing, and staged in a dramatic setting, is thus described by the writer

2. *Deseret News* of July 14th, 1858, where the speech is published in full.

for the *Atlantic Monthly* so frequently quoted in these chapters on the "Utah War."

"On the 13th of June, the long camp was broken up, and the army moved forward in three columns on the route through the canons. Although the season was so far advanced, snow had fallen at the fort only three days before. The streams were swollen and turbulent with spring floods, and difficulty was anticipated in crossing the Bear and Weber rivers. Material for bridging had, therefore, been prepared, and accompanied the first column. Southwest of the fort, at the distance of four or five miles, a singular *butte*, the top of which is as level as the floor of a ballroom, rises to the height of eight hundred feet above the valley of Black's Fork, and commands a view of the entire broad plateau between the Wind river and the Uintah and Wasatch ranges. Little parties of horsemen could be seen spurring up the gullies on its almost precipitous sides, to witness from its summit the departure of the army. The scene was in the highest degree picturesque. Almost at their feet lay the camp, the few tents which remained unstruck glittering like bright dots on the wing of an insect; the whitewashed wall of the fort reflecting the sunshine, while stacks of turf chimneys, lodge poles, and rubbish, marked the spots where the encampment had been abandoned. The whole valley was in commotion. Along the strips of road were winding clumsy baggage trains the regiment of dragoons was trailing in advance; the gleam of the musket-barrels of the infantry was visible on all sides; and every puff of the breeze that blew over the bluff was freighted with the rumble of artillery carriages and caissons. Here and there were groups of half-naked Indians galloping to and fro, with fluttering blankets, gazing at the show with the curiosity and delight of children."³

THE MARCH OF THE ARMY THROUGH SALT LAKE CITY

The march of the army through Salt Lake City was made on the 26th of June. General Johnston so managed his previous day's march as to enter the valley from Emigration canon early in the morning, in order to be able to make the march to a point west of the Jordan river in one day, and thus avoid the necessity even for a single encampment within the city limits. The city was deserted by the Latter-day Saints and their leaders, except for a few guards left to watch the passage of the army, and a number of "Gentile civilians" who chose to remain. The order of the march was as follows:

3. *Atlantic Monthly*, for April, 1859, pp. 486-7.

ORDER OF ARMY MARCHING DIVISIONS

(1) Brevet Colonel C. F. Smith's battalion, constituting the advance guard;

(2) Tenth infantry and Phelps' battery;

(3) Fifth infantry and Reno's battery;

(4) Colonel Loring's battalion of mounted riflemen;

(5) Volunteers;

(6) Colonel Cooke's second dragoons constituting the rear guard;

Each command was followed by its train and a portion of the supply train;

The headquarters were with the advance."⁴

The Peace Commissioners rode with the general's staff. The bands played at intervals during the day's march; other than this and the necessary noise of the supply trains dragging their snail pace along South Temple street, the march was undemonstrative and noiseless; in fact so marked was the "stillness," that one writer, supposed to be a correspondent with the "Expedition," said that it was so profound, "that during the intervals between the passage of the columns, the monotonous gurgle of City Creek struck on every ear."⁵

The same writer also gives the following vivid description of the army's march through the city:

"It was one of the most extraordinary scenes that has occurred in American history. All day long, from dawn till after sunset, the troops and trains poured through the city, the utter silence of the streets being broken only by the music of the military bands, the monotonous tramp of the regiments, and the rattle of the baggage wagons. Early in the morning, the Mormon guard had forced all their fellow religionists into the houses, and ordered them not to make their appearance during the day [an error this, the people long before had left the city as already stated]. The numerous flags, which had been flying from staffs on the public buildings during the previous week, were all struck. The only visible groups of spectators were on the corners near Brigham Young's residence, and consisted almost entirely of Gentile civilians."⁶

COLONEL COOKE HONORS THE MORMON BATTALION

Colonel Cooke, leading the 2nd dragoons, constituting

4. See General Orders No. 30, *House Executive Documents*, 35th Congress, 2nd Session, vol. ii, p. 119; and Report of General Johnston to Army Headquarters of the 28th of June from camp "near Salt Lake City," *Ibid*, p. 121.

5. *Atlantic Monthly*, for April, 1859, p. 490.

6. *Ibid*.

the rear guard of the "Expedition," "passed through the city with his head uncovered, as a token of his respect for the Mormon Battalion," and thereby further endeared himself to his old command.⁷

General Johnston kept his promise as to the good order in which the march should be conducted through Salt Lake City, as also in camping beyond its limits:

"Not a field was encroached upon, not a house molested, not a person harmed or insulted, by troops that had been so harassed and vituperated by a people now entirely at their mercy. By their strict subordination they entitled themselves to the respect of the country as well as to the gratitude of the Mormons."⁸

To this word from within the camp, should be added the testimony of Brigham Young, given in Provo, the day following the march of the army through the city:

"What is the present situation of affairs? For us the clouds seem to be breaking. Probably many of you have already learned that General Johnston passed through Great Salt Lake City with his command under the strictest discipline. Not a house, fence, or sidewalk has been infringed upon by any of his command. Of course the camp followers are not under his control; but so far as his command is concerned while passing through the city, *he has carried out his promises to the letter.*"⁹

During the peace conference, Cache valley, about eighty miles north of Salt Lake City, was urged upon the attention of the Commissioners by the church leaders as the most desirable place for the permanent location of the army; but it

7. *History of Brigham Young, Ms.*, entry for June 26th, 1858, pp. 735-6. Sometime later, when Colonel Cooke and Captain Marcy made a formal call upon President Young at his office, Heber C. Kimball "blessed" Colonel Cooke "for his kindness to the battalion boys" (*Ibid*, entry for Aug. 10th, 1858, p. 923).

8. *Atlantic Monthly*, April, 1859, p. 491.

9. From a discourse delivered in Provo, June 27th, *Deseret News*, July 14th, 1858. There was some slight trespass upon fenced fields west of the Jordan, some crops destroyed, and fencing used, the property of Joseph Young, brother of Brigham Young, for which and for the damage done to the pasturage hitherto used by the people, compensation was claimed, but not allowed. Major Dickens, and Captain Marcy, to whom the matter was referred, denying the responsibility of the army for the damage done (see *History of Brigham Young, Ms.*, July 14, 1858, p. 782, and August 19, p. 937). George A. Smith declares that there was a mile of post and pole fencing burned, and about one hundred tons of hay used by the army while encamped on the Jordan. (Letters to Stenhouse, *History of Brigham Young, Ms.*, July 9th, 1858, p. 775).

was rejected because considered too far removed from the center of population, and Cedar valley, thirty-six miles distant from Salt Lake City, and west of Utah Lake—from which it is separated by a ridge of mountain and some low hills on the north—was selected instead; and which in a few days the army reached and began the preparation of their permanent quarters.

THE RETURN OF THE PEOPLE TO THEIR HOMES

With the marching of the army into its permanent quarters, removed some considerable distance from the settlements of the saints, as per agreement, there remained no longer any reason why the people should not return to their homes, and accordingly the announcement was made on the 30th of June, at Provo, that—

“All who wish to return to their homes in Great Salt Lake City are at liberty to do so.”

President Young on that date, with an escort of thirty men from Provo, commanded by Captain Wm. Wall, led the return;¹⁰ and the movement “back home” began along the whole caravan of wagons extending in a broken line from Provo to many of the southern settlements of the territory.

An unusual rainfall during the month of June, that year had assured a fairly good grain and fruit crop; and the peaceful pursuits of an industrious people and an orderly community life were permitted to resume their wonted course.

The “return home” movement had been a foregone conclusion for some time, if the agreement entered into with the Peace Commissioners on the 12th of June was carried out. The usual representations made that either on the 4th or 5th of July the return home began are wrong as to dates. “The first presidency and a few others left Provo at 6 p. m. of June 30, and arrived at their homes in Great Salt Lake City at 3 a. m. of July 1st.”¹¹ The statement of anti-“Mormon” writers that

10. *History of Brigham Young, Ms.*, entry for the 30th of June, 1858, pp. 758-9.

11. Editorial *Deseret News*, July 14th, 1858, issued at Fillmore.

after both Governor Cumming and the Commissioners had pleaded in vain with the people to return to their homes, and Governor Cumming had announced his intention of publishing a proclamation advising the people to return—that then Brigham Young said to the governor, “Do as *you* please, *I* shall get upon the tongue of my wagon and tell the people that *I* am going home, and *they* can do as *they* please”—and that this was done (see Stenhouse, Waite, Linn, *et al*, and even Tullidge). All this scarcely comports with the facts in the case; and is evidently related to exhibit Brigham Young’s alleged arbitrary power over the people. As before stated, the matter of returning to their homes had been a foregone conclusion for some time, the people were anxious for it, and only awaited the passage of the army to its permanent quarters, in good faith, to begin the return home movement. The matter had been discussed by Brigham Young at the Sunday public meeting in Provo, on the 27th of June, where he announced the orderly passage of the army through Salt Lake City. He then said: “So soon as General Johnston finds a place to locate his command—when we get news what he is going to do with his troops—*we will go home*. Women, do not induce your husbands to go home just yet, but wait until the proper time. It will not be long first.”¹² Three days later the suggestion to return home was published as related above.

PRESIDENT BUCHANAN LAUDS THE “EXPEDITION” AND ITS
“ACHIEVEMENTS”

President Buchanan, on the 10th of June, having received Governor Cumming’s dispatches of the 2nd of May to the effect that he had everywhere been received as governor of Utah, and that the difficulties in Utah were in a fair way of peaceful settlement, sent a special message to congress congratulating that body upon “this auspicious event,” and

12. *Deseret News* of July 14th, 1858.

suggesting that it would not now be necessary to make any appropriation for the purpose of calling out and equipping the two regiments of volunteers authorized by a special act of congress in April previous.¹³

In his annual message to congress in December following the president recapitulates at some length the Utah events of the year, which resulted in the settlement of the differences "without the effusion of blood."

He lauds the course which had been followed by the administration; justifies the sending of the "Expedition," and the preparations for sending the very large reinforcements that were called for, holding that "a less decisive policy would probably have resulted in a long, bloody, and expensive war." The army and its officers, Governor Cumming, the Commissioners, Messrs. Powell and McCulloch, and Colonel Thomas L. Kane are all commended for their services, and the president recommends that the benefits of "our land laws and pre-emption system be extended to the people of Utah, by the establishment of a land office in that territory. His passage on Colonel Kane is as follows: "I cannot, in this connection, refrain from mentioning the valuable services of Colonel Thomas L. Kane, who from motives of pure benevolence and without any official character of pecuniary compensation, visited Utah during the last inclement winter for the purpose of contributing to the pacification of the territory."¹⁴

This whole matter of the settlement of the so-called "Utah Rebellion" is a fine example of what is called in state policy "muddling through." It was no clean-cut victory for the Buchanan administration; nor could it be considered an altogether satisfactory settlement of the territorial difficulties by the church leaders of the Latter-day Saints. On the false reports of the "run-a-way federal appointees" for the territory without an investigation, the administration secretly organizes an "Expedition" to suppress the supposed "rebellion"

13. *Messages and Papers of the Presidents*, vol. v, p. 487.

14. *Messages and Papers of the Presidents*, vol. v, p. 503, et seq.

and marches it to Utah. Here in the borders of the territory it meets effective resistance, and is humiliated in the eyes of the nation and the world; for that humiliation arising from the ridiculous situation into which the army is maneuvered by the elements and a few companies of Utah militia, is witnessed and deplored by our own vexed nation, and laughed at by the world. Then, after the blunder is made, the president after arranging for reinforcements of his first defeated "Expedition" sends Peace Commissioners to Utah not to investigate the charges and adjudicate the case, but with a "Proclamation of Pardon" in their pockets if the church leaders and people who have effectively resisted and humiliated the army will consent to its peaceful encampment in the territory, and promise submission to the Constitution and laws of the country.

True, the president in his proclamation of pardon reiterated some forty false charges of the territorial "run-a-way officials," and if the church leaders and the people accept the pardon offered they will *seemingly confess* to the charges made. But this they emphatically and boisterously refused to give assent to and limited their assent to the charges made in the proclamation to those that relate to acts of resistance to the approach of the army, fearlessly demanding an investigation of all others; and asserting that in accepting the pardon that acceptance went no further than acceptance of what they regarded as the necessary forceful resistance to the advance of the army. In other words, the supposed "culprits" determined the counts in the indictments upon which they would be pardoned, and disclaimed and rejected without trial all others as non-existent. And with this self-selection of the parts of the indictment on and for which they would accept the president's pardon the president hysterically congratulates and lauds the statesmanship and wisdom of his administration!

As to the pledge required of the church leaders that they would submit to the Constitution and the laws of the

country, that was only to reaffirm what had always been their habitual mental and practical attitude towards the Constitution and the laws of the country and therefore no new or necessary pledge of allegiance.

On the part of the church leaders and the people the settlement of the Utah difficulties by the "Pardon" and "Proclamation of Peace" must have been unsatisfactory in that it did not provide for, neither did it include an investigation and adjudication of the false charges of disloyalty, lawlessness and threats of violence enumerated by the president of the United States; and therefore gave no triumphant vindication of the saints against these charges in the eyes of the world. But what did result in benefit to the saints from this settlement was it halted that "move south" which had it been persisted in—and that would have been inevitable had no settlement with the administration been made—we now know from our knowledge of the extent and barrenness of the desert which faced them, and into which they were fleeing that barring some stupendous miracle, would inevitably have spelled overwhelming disaster to the Latter-day Saint community.

CHAPTER CXVI

A CHAPTER OF HORRORS—CONDITION IN UTAH AFTER THE ADVENT OF THE "UTAH EXPEDITION"—A "REFORMING AGENCY"

AFTER the return from the "move south," President Brigham Young went into practical retirement. The entrance to his house, the Bee Hive (then called his "Mansion"), and the "Lion House," were securely locked and bolted, and constantly guarded by brethren, to whom the names of those seeking admittance to the president were submitted.¹ No public meetings were held. The tabernacle in Salt Lake City was not opened for public worship. Silence was enjoined; matters were to be left, apparently, to take their own course.² This doubtless in recognition of the fact that sometimes silence is more potent than speech; new adjustments even take place under its reign.

THE "UTAH EXPEDITION" ARMY ENCAMPMENT

The encampment of the army in Cedar valley was called Camp Floyd, in honor of the then secretary of war, soon to be engaged, and even then, perhaps, engaged in a widespread conspiracy for the dismemberment of the federal Union; and

1. *History of Brigham Young, Ms.*, entry for July 5th, 1858, p. 763. Commenting on these precautions, Captain Burton says: "He has guards at his gates, and he never appears in public unattended by friends and followers, who are, of course, armed. * * * However, in the case of the prophet, there is an absolute necessity for precautions: as Gentiles have themselves owned to me, many a ruffian, if he found an opportunity, would, from pure love of notoriety, even without stronger incentive, try his revolver or his bowie-knife upon the 'Big Mormon.'" (*City of the Saints*, p. 222).

2. "The Presidency are quite retired and are seldom seen. The people are in a great measure left to themselves to see what they will do. There are no public meetings, and consequently no public sacraments. The word of the Lord is seldom heard through his prophets by the people." (From a letter of Samuel W. Richards to E. W. Tullidge, July 23rd, 1858; *Millennial Star*, vol. xx, pp. 620-22. See also *History of Brigham Young, Ms.*, entry July 4th, 1858, p. 762-800, *passim*). When Wilford Woodruff in company with Cyrus H. Wheelock solicited the privilege of holding a public meeting in the interest of the Deseret Agricultural and Manufacturing Society, "President Young informed them that he did not want meetings held on any subject." (*Ibid.*, p. 923). This must doubtless have canceled some earlier—July 18—arrangements made for preaching in the wards by Elder Joseph Young, of the first council of seventy, and Presiding Bishop Edward Hunter. (*Ibid.*, p. 798).

at any rate, a little later came to be regarded as the arch enemy and traitor to the government of the United States.

Cedar valley is about ten miles in width and thirty miles long, through which a small stream flows southward from copious springs at the foot of the western hills, just south of which the military post was located. There was but one "Mormon" settlement in the valley, at the time, this was known as Cedar Fort, which had been organized into an ecclesiastical ward in 1853, with Allen Weeks as bishop. There were about one hundred and fifteen souls at the time of the ward organization, and perhaps not more than two hundred at the advent of the army. Exposure to Indian assaults forced the settlers to live in a stone wall enclosure—part of the wall is yet standing—hence "fort" in the name.

Camp Floyd, for the most part, was formed of small low, but neat adobe houses—between three and four hundred in number; "enough," writes Horace Greeley, who visited the camp in July, 1859—"enough to make six or eight Kansas cities"—of course, of that period. Near by there sprang into existence a suburb on which was conferred the euphonious name of "Frog Town," later, and now, Fairfield, "whence grog and other luxuries, including execrable whiskey at about ten dollars per gallon,"—wrote Greeley—"are dispensed to thirsty soldiers, who have not already drank up more than their pay amounts to." The valley was covered with sagebrush (*artemisia*) and grease wood; but the immediate camp was freed from these growths and made level as a floor, beaten hard by the continual tramping of the three thousand troops inhabiting it—"the largest regular force ever concentrated upon the soil of our country in a time of peace."³ The adobes were made from bluish clay mud in the vicinity of the camp; the board roofing and other timber was obtained from the mountains east of Salt Lake valley.

3. Horace Greeley's *Overland Journey, New York to San Francisco*, 1860, pp. 244-7.

The total cost of building the post to the government was about two hundred thousand dollars.⁴

THE UTAH FEDERAL CIVIL OFFICERS WHICH CAME WITH THE
"EXPEDITION"

The civil officers who came in with the army were Chief Justice Delano R. Eckles, and John Hartnett, secretary of the territory. Governor Cumming's entrance into Salt Lake City has already been detailed. Jacob Forney, territorial superintendent of Indian affairs—which office was now separated from that of governor—came in with the Peace Commissioners. Judge Charles E. Sinclair arrived in Salt Lake City on the last day of July. Judge Cradlebaugh did not arrive until early in November. About the same time United States attorney for the territory, Alexander Wilson, of Iowa, arrived in Utah. He was accompanied by his wife whom he had but recently married. He brought letters of introduction from Jeremiah S. Black, United States attorney-general in Buchanan's cabinet, to Governor Cumming; and letters of like character from Colonel Thomas L. Kane to President Young.⁵ These gentlemen with Peter K. Dotson, territorial marshal, completed the list of federal officials for the territory.

With the settlement of the army at Camp Floyd and the coming and installation of these federal civil territorial officers, the Utah stage was again set for the further unfolding of those events which make up the history of Utah territory and of the Church of the Latter-day Saints—which, for some time as yet, are inseparable in their historical relations.

ATTEMPTED SOCIAL AMENITIES—"REFORM AGENCIES"

In the first few weeks following the entrance of the army and its settlement in Cedar valley, there were various attempts made by the army and civil officers to open intercourse

4. Greeley, *Ibid*, p. 247. Greeley states that the adobes were made by "Mexicans," which is not true, as there were no Mexicans to speak of in the territory. The adobes were made chiefly by the "Mormons" of "Cedar Fort."

5. *History of Brigham Young, Ms.*, Nov., 1858, p. 1068.

with President Young and other church leaders;⁶ but such had been the strained relations between these United States officials of the army and of the territory on the one hand; and the leading church officials on the other—such the absolute difference of viewpoint on the questions involved—such the distrust, as yet, of the church leaders of most of the United States officials, both military and civil—that intercourse, beyond what official courtesy required, was not long attempted.⁷

The general statement concerning reserve in the matter of relations between the two classes spoken of should be modified by noting a few exceptions. So long as Colonel Alexander and Captain Marcy remained in the territory their association with the church leaders were very agreeable. The meeting of Colonel Cooke with the church leaders, as also that of Captain Bryan and Lieutenants Bristol, Rich, and Kensel, are spoken of as very pleasant interviews. "They conversed upon a variety of subjects, such as the water, wood, weather, coal, roads, the products of the earth, and the detention of the army." The interview between the secretary of the territory, John Hartnett, and President Young was not so agreeable, as the antagonism between them was very pronounced.⁸ Mr. Wilson, United States attorney for the territory, was more diplomatic and acquired a better standing. Governor Cumming, of course, was in friendly relations with the church leaders, and on the 26th of July accompanied by Mrs. Cumming, went with a "Mormon" party of nearly one hundred in number, including President Young, his counselors, and seven of the twelve apostles, on a strictly private picnic excursion of several days into Big Cottonwood canon, where a most enjoyable time was had in song, prayer service,

6. The day of the president's arrival in Salt Lake City from the "move south"—July 1st—"several gentlemen called upon him and wished to deliver letters to him personally. All such sought interviews were declined. Some would not leave their letters because they could not deliver them personally." (*History of Brigham Young, Ms.*, 1858, p. 959).

7. *History of Brigham Young, Ms.*, 1858, pp. 915-918, 923-25.

8. *Ibid.*, pp. 916-918.

dancing, and feasting.⁹ No mention was made of the excursion in the *Deseret News* until the 8th of September. But notwithstanding these exceptions, the relations between the two classes of Utah's citizens named, were restrained, and finally limited to necessary official intercourse, and even this was carried on—so far as President Young was concerned—by secondary parties.¹⁰

With the coming of the army and the civil officers for Utah, there had been assembled those "reforming agencies" from which so much was expected in the moral regeneration of the Latter-day Saints. The *New York Tribune*, when the "Expedition" was forming for its journey, remarked, in a vein of irony, perhaps, but representing truly the ideas that obtained in some quarters respecting the "Expedition:"

"The impending 'Expedition' against them [the 'Mormons'] is enthusiastically regarded as *holy war*, undertaken in the interest of morality and religion, intended to convert the Mormons to more correct ideas on the subject of matrimonial relations and religious truth; to break up their polygamous households; * * * or should they not be brought to reason as to these matters by the *precept and example of the new civil officers, seconded by the officers and soldiers of the army*, then to resort to the remedy of dispersing them by fire and sword."¹¹

And yet, following within the first few months of the advent of these "reforming agencies," the people to be "reformed" were edified by the sight of an associate judge of the supreme court of the territory frequently reeling through the streets of Salt Lake City drunk and sometimes helpless. So insufferable was he in this respect that Governor Cumming, who himself was not above reproach in this weakness, "was displeased with him." His court—the district included Salt Lake City—was so disgraced by these habits that it was a matter of public criticism.¹²

On one occasion his honor was led helpless from the

9. *History of Brigham Young, Ms.*, entry for Aug. 26, 1858, p. 950; also *Woodruff's Journal*, entry of same date, and where a list of the male members of the party are given—fifty-two in all.

10. See Stenhouse's *Rocky Mountain Saints*, p. 402. Also *Atlantic Monthly* for May, 1859, p. 571. *Burton's City of the Saints*, p. 216.

11. *New York Tribune*, Jan., 1858.

12. *History of Brigham Young, Ms.*, Oct. 27, 1858, p. 1043; also *Ibid*, p. 1183.

ballroom by his friends; on another he helplessly fell into a gutter of the street while in a quarrel with C. L. Craig, an Indian agent, and drew a pistol on his adversary, and Craig drew a knife upon the judge, but both "were too drunk to do any hurt."¹³ Perhaps this unfortunate weakness in the judge accounts for the act for which he is best known to fame in Utah, that of sentencing a man to be executed on the Christian Sabbath.¹⁴

A letter in the handwriting of Chief Justice Eckles was picked up in the streets, written to one Lieutenant Bennett, in which the chief justice deplores the fact that he has not been able to procure for him (the lieutenant) a mistress as yet. His efforts in this detestable business are given in terms too gross for reproduction; but the circumstance is too well attested to admit a doubt of the fact of it.¹⁵ Yet when the chief justice was about to depart from the territory in the fall of 1858, a number of the civil and military United States officers for the territory, and prominent Gentile merchants, in tendering him a complimentary dinner, envied him the satisfaction he would feel in joining his "family and friends in a *moral and civilized community*," and regretted that his services would be withdrawn from the territory during the winter.

The letter tendering this dinner appears in the *San Francisco Bulletin* of Sept. 30th, with the names of the thirty-two gentlemen who were to give it, and is reproduced in the *Deseret News* of Oct. 27th. The invitation letter also contained the following clause: "Your presence in Washington

13. Letter of John L. Smith to Stenhouse, *Ibid*, p. 1197.

14. This was the case of Thomas H. Ferguson, a "Gentile," convicted of murder, and the first white man to be executed in the territory. (See Bancroft's *History of Utah*, p. 540; also *Rocky Mountain Saints*, Stenhouse, p. 403). Of course the day of execution had to be changed.

15. *History of Brigham Young, Ms.*, entry Sept. 13th, 1858, p. 966. "The ermine must rest gracefully on the shoulders of a chief justice, who employs the influence of his high position in performing his service as a _____ to provide gratification of lust to army lieutenants, and that by the [attempted] seduction of wives and mothers," remarks the chronicle. (*Ibid*, p. 966. See also letter of John Taylor to George Q. Cannon, date of 12th Jan., 1859, copied into *History of Brigham Young, Ms.*, entries for Jan., 1859, p. 114).

will do much to remove misapprehensions which seem to prevail there, and to cause measures to be *taken for the better security of the persons and property of loyal citizens of the United States who are resident in this community.*" This gave offense, not only to the Latter-day Saints, as being slandered by these innuendoes, but to Governor Cumming and his friends. Letters were addressed by the editor of the *Deseret News* to the gentlemen signing the invitation, asking them to be more specific as to the meaning of the indirect charges of unsafety of persons and property in Utah. This brought statements from Secretary Hartnett and Superintendent of Indian Affairs Jacob Forney, saying that they had signed the letter, "as many other signers of the letter referred to, in full confidence that it was only what it purported to be, an invitation to take dinner;" and not "to cast reflection, even the smallest, on any community or person." "Nor did I suppose for a moment," said Secretary Hartnett, "that the letter was to be used, as it has been, to subserve a political purpose."¹⁶ Forney's letter is of similar import. "I had no design," he said, "to cast reflection, even by implication, on this or any other community, especially in any such an oblique manner."¹⁷ In the same impression of the *News* is a strong editorial resenting the imputations of the "dinner letter."

The people of Utah were further edified by the scandalous gallantries of army officers who sought, and sometimes successfully, to induce women to go to Camp Floyd, there to enter into illegal and shameful relations.¹⁸ One army officer while passing through Nephi on duty, became the temporary guest of a prominent family, and sought, by offering a considerable sum of money to a second person, to purchase the favors of the matron of the household.¹⁹

16. *Deseret News* of Nov. 3rd, 1858.

17. *Ibid*, Nov. 10th, 1858.

18. See *History of Brigham Young, Ms.*, Sept. 28th, 1858, pp. 979-80.

19. *History of Brigham Young, Ms.*, entry for 25th of Dec., 1858, p. 1203, where the names of all the parties concerned, including that of the man whom the captain would have made his "Sir Panderer," are given.

RELATION OF THE ARMY AND ITS FOLLOWERS WITH INDIAN WOMEN

In addition to these "gallantries," the army was further disgraced by the shameful relation of soldiers and camp followers of the army with the Indian women of the tribes in contact with both Camp Scott and Camp Floyd.²⁰

Little Soldier, chief of the Cumumbahs, or Snake Diggers—who was camped near the soldiers at Camp Scott, details the brutality of soldiers who, entering the tents of the Indians whenever the men were absent, would lay hold of and ravish the women. The chief in consequence of these things left the camp.

Many of the squaws for their "favors" received money, which their husbands would force from them in order to buy the execrable whiskey of the camps; and as the savage knows nothing of self-restraint, this ended in drunkenness. Sometimes various parts of soldiers clothing, from caps to trousers, and even Sibley tents were bartered for these licentious favors.²¹

P. W. Conover, whose two sons were interpreters, informed George A. Smith, church historian, that Antero Yam-pants, chief, and Peteetneet, burned six squaws in consequence of their having contracted the "Mexican Dierhed"—a venereal disease.²²

It is only proper to say, that the term "soldier" with the Indians, means the entire army *and attaches*;²³ so that it is fair to presume that most of the atrocities practiced upon the Indians, of the kind here enumerated, were the work of teamsters and camp followers, by far the worst element of the "Expedition," and the least under discipline.²⁴ But when this

20. *History of Brigham Young, Ms.*, June, 1858, p. 619.

21. *History of Brigham Young, Ms.*, entry for 8th of June, 1858, p. 620.

22. Letter of George A. Smith to Stenhouse, copied into *History of Brigham Young, Ms.*, July entries 1858, p. 761.

23. *History of Brigham Young, Ms.*, entries for June, 1858, p. 620.

24. We have the assurance of Captain Burton, of the British army, however, who for some time was a guest at Camp Floyd, that "from Captain Heth" [Burton's host while at the camp] he gathered that "in former times, in Western America as in British India, a fair aborigine was not infrequently the co-partner of an officer's hut or tent. The improved communication, however, and the frequency of marriage, have abolished the custom by rendering it unfashionable. The Indian squaw, like the

"Expedition" was projected and accepted in the popular view as a means of "reforming the Mormons," the possibility of an evil example growing out of the assemblage of such elements as invariably attach themselves to such "Expeditions," ought to have been considered.

STREET IMBROGLIOS

The people of Utah were further edified in the ways of "civilization" by frequent street *imbroglios* among gamblers and other camp followers and teamsters of the "Expedition," amounting at times almost to riots on the streets.²⁵ There were also frequent armed conflicts between these elements and the police; and worse yet, in some cases, prominent merchants and some army officers sided with the rowdies against the police.

In a letter to Stenhouse, under date of Sept. 11th, George A. Smith said:

"Christianity continues to progress with the arrival of its most able expounders and defenders who preach by precept and example; but much to our gratification, at present, they are practising on each other. Several murders have been committed, two of which have occurred in this city; the mayor of our city has to hold a court every day. Street fights prove rather expensive, but are of frequent occurrence. Our brethren, however, keep out of the way and they [the non-'Mormons'] have the fun all to themselves. Although the annoyance to the people, and drunken sights are disgraceful to the community, they are unavoidable as long as the United States treasury pays the expenses."²⁶

Beebee, seldom looked upon her 'mari' in any other light but her banker. An inveterate beggar, she would beg for all her relations, for all her friends, and all her tribe, rather than not beg at all, and the lavatory process required always to be prefaced with the bribe. Officers who were long thrown among the Prairie Indians joined, as did the Anglo-Indian, in their *nautches* and other amusements." (Burton's *City of the Saints*, pp. 444-5). Doubtless Captain Heth, had he included the teamsters and camp followers of the "Utah Expedition" within the scope of his view, could have given more recent illustrations to his guest of the associations of the kind alluded to in the passage quoted from Burton; and could give such illustrations a setting among the "mountain" as well as among the "prairie Indians." We have in mind the Steptoe command in Utah, as well as this more recent "Expedition."

25. See *History of Brigham Young, Ms.*, entries for September, pp. 956-7. A Mr. Cooper who had spent six weeks in Provo in the spring—until then an almost exclusively "Mormon" town—had never seen a breach of the peace. In Great Salt Lake City he had seen street fights, pistols drawn, etc., etc. (Also *Ibid.*, p. 986).

26. *History of Brigham Young, Ms.*, 1858, p. 964.

"For want of space we omit the details of rapidly increasing profanity and drunkenness, of the progress of gambling, whoredoms, etc., and for the present merely note the fights as yet most prominent. A short time past two colored 'gentlemen' quarreled in the streets; one was stabbed and the other shot dead by his antagonist. On the 9th inst. (A date, by the by, which was enlivened by five other fights between newly-arrived citizens), Longford M. Peel and Oliver R. Rucker, from Leavenworth, met and fought with pistols, in Miller, Russel & Co's store, Peel killing Rucker, and himself receiving three wounds from which it is not yet known whether he will recover. As there is a fair prospect for a weekly crop of the thrilling and exciting incidents so common in the world, it is but fair to presume that news from this isolated portion of our country will no longer be quoted as 'unimportant.'"²⁷

"Police riots," or "rows with the police," said an editorial in the *Deseret News*, "are getting to be of weekly occurrence in our city." Under the caption—"Peace Breaking—Attack on the Police," in the same impression of the *News*, is given in detail an account of a riot in which a Mr. Kincaid, merchant in Salt Lake City, and Dr. Covey of the United States army were leading spirits. "It is matter of regret," said the editorial account of the affair, "that the professors of civilization (!) and claiming to be the very essence of modern refinement, should be found among those whose orgies make night hideous and our streets dangerous."²⁸ Mayor Smoot reported the action of the police in this instance to Governor Cumming, who thoroughly sustained the "course pursued by the police with the mob, and wished they had notified him, so that he might have led the police; for it would have been better for the responsibility to fall on him than on the mayor and police."²⁹

PROSTITUTION AND ATTENDANT CRIMES

Prostitution reared its horrid front in the community,

27. *Deseret News*, Sept. 15, 1858. See also *History of Brigham Young, Ms.*, entries for October, pp. 1025-6; and *Deseret News* of Oct. 13th and 20th. See also case of the people of Salt Lake City vs. Dr. E. N. Covey (assistant army surgeon) Chas. A. Kincaid (merchant) W. H. H. Fall, John Mendenhall, Lieutenant Sanders (of the army at Camp Floyd) for disturbance of the peace and resisting and assaulting the police of the the city, *Deseret News* of Dec. 1st, 1858.

28. *Deseret News* of Nov. 24th, 1858.

29. *History of Brigham Young*, Nov. 22nd and 24th, 1858.

and its patrons were chased from the streets by the city police.³⁰ Editorially the *Deseret News* advised that in order to preserve the peace and quiet of the city, ladies remain at home; and that gentlemen limit themselves to reasonable hours, or at least to their legitimate walks and line of business.³¹

"The miserable howling and demoniac yells of the midnight brawlers, maddened by the intoxicating draught," wrote John L. Smith, chief clerk of the territorial legislature, in a letter to Stenhouse, "contrasts strangely with the peace which has ever before reigned in 'Deseret'."³² As a result of the lawlessness the police force of Salt Lake City was increased by the addition of two hundred members—four-fold what it had previously been. Out of the number seven special guards of twenty men in each, were organized; and each guard-group was to furnish men for duty through twenty-four hours—covering the week.³³ "Of that class of beings who burden communities with their presence and tax them with their idleness and crime," said the editor of the *Deseret News* of this period, "this city has had within its precincts, for a length of time, a legion, and the expense that has accrued in consequence of their presence and acts, to the corporation and to the county, has been more than double the amount that has been required to suppress and punish crime and support pauperism from the first settlement in the valley in 1847 to July, 1858; and there have been more murders committed and more blood shed in the county within the *last eight months, than before, since its organization*;"³⁴ and the county was organized by the general assembly of the "State of Deseret" in December, 1849—nine years before.

30. *History of Brigham Young, Ms.*, entries for Nov., *passim*, p. 1113.

31. *History of Brigham Young, Ms.*, Nov., *passim*, 1858, pp. 1074-5.

32. See *History of Brigham Young, Ms.*, entries for September, *passim*, 1858, pp. 967-8-9. *Deseret News* of Nov. 24th, 1858.

33. *Deseret News* of April 20th, 1859.

34. Which action was ratified by the Utah territorial legislature on the 3rd of February, 1852. The present boundaries of the county were established by an act approved Jan. 10th, 1866.

OTHER TESTIMONY THAN "MORMON"

"Mormon" annals do not stand alone in describing this perilous state of community life in Utah during this Camp Floyd period. "The unruly crowd of camp followers which is the inseparable attendant of an army," wrote Albert G. Brown, Jr., to the *Atlantic Monthly*, "has concentrated in Salt Lake City, and is in constant contact and conflict with the Mormon population. An apprehension prevails, day after day, that the presence of the army [i. e. in the city] may be demanded there to prevent bloodshed. The governor [Cumming] is alien in his disposition to most of the federal officers; and the judges are probably on their way [this in May, 1859] to the states to resign their commissions."³⁵

Among the problems of those days was the discharged soldier. So long as the men were in the army and under the strict discipline of the general commanding, there was little difficulty;³⁶ but the soldier discharged, paid off in army warrants,—if a balance of his pay was due him, but more frequently he was penniless—and often made desperate and demoralized by army life, became a terror to the civil authorities who must now deal with him in his relations to the community. It must not be forgotten that many of these troops were made up of the teamsters of the "Expedition," taken into the army as soldiers by General Johnston at Camp Scott, and who are spoken of by one writing from within the army lines as be-

35. *Atlantic Monthly* for May, 1859, p. 579.

36. "Johnston's course of strict discipline," wrote George A. Smith to Stenhouse, date of July 2, 1858, "has preserved peace between the citizens and soldiers" (copied into *History of Brigham Young, Ms.*, entries for July, p. 761). "General Johnston," says the same writer in another letter to Stenhouse, date of Sept. 24th, "is evidently using every exertion in his power to control the unyielding elements of which his camp is composed. Many of his officers, however, evince a bloodthirsty feeling towards the inhabitants of this country." (Copied into the *History of Brigham Young, Ms.*, Sept., 1858, p. 976). A number of army officers in passing through the settlement of Lehi, generally without permission, turned their horses into the enclosures belonging to that settlement; and when they were asked for compensation by Bishop Evans, they "damned" him vigorously; "but upon presenting the accounts to General Johnston," says Bishop Evans, "he reimbursed them freely, and assured the bishop that it was his policy not to infringe, in the slightest, on the rights of the citizens, which policy carries independent of his subordinates." (Report to Bishop Evans, *History of Brigham Young, Ms.*, Oct., 1858, pp. 1027-8).

longing with other camp followers "to the scum of the great western cities—a class more dangerous, because more intelligent and reckless than the same class of population in New York."³⁷

Every time therefore that there was any considerable number of the troops discharged by reason of their terms expiring, a wave of anxiety passed over the civil community. A few instances will illustrate the fact: The first companies to leave Camp Floyd were Captain Marcy's four companies of mounted riflemen from New Mexico, and Brevet Colonel Bee's command of enlisted teamsters. This in the latter part of July. These troops were marched from the territory under their respective commanders, and hence under military discipline. Colonel Bee sent for Elder John Y. Greene to act as guide for these companies from Camp Floyd to Emigration canon; the object being to leave the territory without passing through Salt Lake City; and this was done.³⁸ Yet such was the anxiety of the church authorities; and such the uncertainty as to what might happen on the departure of these companies, that "extra companies of guards [were] posted secretly near the dwellings of the first presidency."³⁹

On the 27th of October a Mr. Miller, of the firm of Miller and Russell, told Mayor A. O. Smoot of Salt Lake City that four hundred and fifty soldiers would be discharged from Camp Floyd on the first of November; that two hundred trains to which were attached six hundred men from the east were making a determined effort to get into Salt Lake City and be discharged there. Mr. Miller had paid off through his firm thirty-five teamsters, and anything they would not steal, he would not have as a gift; and the other six hundred

37. *Atlantic Monthly*, March, 1859, p. 374.

38. Elder John Y. Greene "met Colonel Bee's command at Dry Creek and guided them by the county road, the canal, and across the bench to the mouth of Emigration canon, where Greene left them, and they camped several miles up the canon. Brother Greene reports that Colonel Bee expressed much commiseration and sympathy for the exposure and inconvenience endorsed by those who had left their homes in the 'move south.'" (*History of Brigham Young, Ms.*, July entries, pp. 798-9).

39. *Ibid*, p. 799.

teamsters who would be in soon, were no better than they were." "President Young advised Mayor Smoot to see Governor Cumming and get him to use his utmost exertions to have the soldiers above alluded to marched out of the territory, and if he refused, then have the city council get up a remonstrance."⁴⁰

Later it was learned that the soldiers to be discharged were the "quartermaster's men, who are a great deal worse" (i. e. than the ordinary soldiers) says the chronicle.⁴¹ Governor Cumming interested himself in the matter, and presented the case to General Johnston. Captain Jefferson Hunt, of Mormon Battalion fame, and familiar with the southern route to California, was instructed by President Young to get up trains and carry discharged soldiers to California.⁴² Some of the discharged teamsters and quartermaster's men bought some large freight wagons, and, because they could be bought at a low figure, some poor cattle that had just come in from the states, and thus made up a train to go to California by the southern route.⁴³ These arrangements combined disposed of these companies of discharged men; but ever as the circumstance of a considerable number of men being discharged recurred, there was always attendant upon it this dread and anxiety for the civil authorities.

This whole Camp Floyd epoch was a period of demoralization, greatly deplored by the authorities of the church, but before which, for the time being, they were helpless. Many church members, loving this present world, and throwing off the wholesome restraints of religious influence, entered the realm of license to which the times invited them. In his "prayer circle" Elder Wilford Woodruff, of the council of

40. *Ibid*, entry Oct. 27th, 1858, pp. 1042-3.

41. *Ibid*, p. 1052.

42. *Ibid*, p. 1058. Captain Hunt reported to President Young that in recently returning from southern California he met five hundred discharged soldiers *en route*, almost in a state of starvation. Dr. Forney the superintendent of Indian affairs said he was more afraid of these discharged soldiers than of the Indians. (*Ibid*).

43. *Ibid*, p. 1060. "The teamsters are reported to be stealing about eighty mules per day from the government. Large numbers of them are starting for California." (*History of Brigham Young, Ms.*, entry Nov. 4th, 1858, p. 1067).

the twelve apostles,⁴⁴ according to his own account, exhorted his brethren in the following strain:

"I told them we were surrounded by the wicked * * * who were filled with wickedness and sought our destruction; that we were much exposed and should be on our guard and magnify our calling and maintain our dignity before all men as saints of God and elders in Israel; and not mingle with, or drink with, the wicked. If we had business with them let us do it and go our way. * * * There is silence in Zion. No warning voice in the streets or in the 'tabernacle of the Lord.' Every one is left to go his own way, and many are turning away from the Lord, and in this hour of temptation and darkness, it is our duty to live our religion and to set a good example before all men, and watch and pray that we enter not into temptation."⁴⁵

Such the moral effect of the "Utah Expedition" upon the Latter-day Saint community. Instead of resulting in a reformation, in any betterment of manners, more respect for the government,⁴⁶ more honor for a much vaunted "Christian civilization," boastful of its enlightenment, the several evil effects of its presence in Utah, here enumerated, inaugurated a pe-

44. Each of the twelve apostles had been accorded the privilege of organizing a number of their close and personal friends into circles for prayer—after the order of prayer followed in the temples of God—to meet in such upper rooms as they could arrange for, and there pray in behalf of the cause of God. The circles numbered in membership from ten to twenty in each. Woodruff's circle met in the endowment house. (See *Woodruff's Journal*, entry for July 25th, 1858).

45. *Woodruff's Journal*, entry for 1st Sept., 1858: This prayer circle system, and this admonition of the worthy apostle, discloses one of the sources of the spiritual strength of the church in such times as are here being considered—in all times in fact.

46. In the matter of respect for constituted authority the Latter-day Saints were already in advance of their "reformers" in the "Utah Expedition;" and to this Peace Commissioner L. W. Powell bears a strong testimony, in a striking contrast he himself draws between his treatment by the "Mormons" and some of the officers of the army. Answering the question of Seth M. Blair, as to whether or not "any man, of any grade or calling, on any occasion, had offered to him an uncourteous word while he had been in the territory, he said 'no;' but he had been treated with the greatest respect; * * * and he was sorry to say he could not say as much for the officers of Colonel Johnston's army, as he had been grossly insulted by Lieutenant Colonel C. F. Smith and Captain Reno." (*History of Brigham Young, Ms.*, entries for June, 1858, p. 738). Colonel C. F. Smith, however excellent a character as a soldier, was deeply prejudiced against the saints. In the presence of Peace Commissioner Powell, Heth and several other army officers gathered at General Johnston's tent, Colonel Smith made some disrespectful remarks about the "Mormons." "One of the company said: 'Sir, you had better beware how you talk about the Mormons, as they might hear you.' He said he did not care a d—n who heard him, he would like to see every d—ed Mormon hung by the neck." "This 'damn' Smith," remarks the chronicle, "is one of the *flowers of the army*." (*History of Brigham Young, Ms.*, entry for June 27, 1858, p. 738).

riod of demoralization from which the community did not recover for a number of years. Nor could the would-be "reformers" of the saints by such agencies as this "Utah Expedition" be justly surprised if their hopes in that "Expedition" as a moral and religious crusade, were a disappointment to themselves, and excited only the ridicule and contempt of the saints, ending in a deepened attachment for their own moral and spiritual system of life. A due consideration of the lessons of history in such matters should have taught the would-be-reformers by means of the "Utah Expedition"—a manifestation of force—that such an outcome was inevitable. A military force, coercion in any form, in fact, is the poorest agency for effecting moral and religious reforms. The reluctant victim, to paraphrase Gibbon, may even be dragged to the foot of the altar, but the heart still abhors and disclaims the sacrilegious act of the hand.⁴⁷

"There has been," wrote Elder John Taylor, of the council of the twelve,—“there has been a very riotous, obstreperous and vindictive spirit manifested by our *missionary civilizers*; who, while they are utterly regardless of common decency themselves, seek to embroil us in difficulties and trouble; and provoke us if possible to commit some overt act to reopen the wounds that have so far been healed, and cause a renewal of hostilities [and this effort will be made more apparent in the chapter following] in the diabolical hope of fattening themselves upon the prey of their victims.”⁴⁸

Relative to the purpose of those who sought to bring about the “renewal of hostilities” that they might “prey upon their victims,” it can be said that at the very height of Judge Cradlebaugh’s effort to incriminate Brigham Young in the Springville homicides, this passage was written of the non-“Mormon” merchants: “The merchants of Salt Lake City say that if they cannot get up a collision between the ‘Mormons’

47. *Decline and Fall of the Roman Empire*.

48. Letter of Elder John Taylor to Elder George Q. Cannon, date of January 12th, 1859, copied into *History of Brigham Young, Ms.*, entries for January, p. 107, *et seq.*

and the army at this time they will all be 'broke' [fail in business—be ruined] which is equivalent to acknowledging that they are at the bottom of this outrage upon this people."⁴⁹ This at first sight might seem paradoxical; but a collision between the "Mormons" and the army meant reinforcements to the army, an influx of more people, more government contracts, more business hereabouts in Utah—hence the preying upon the "Mormons" as victims.

What could be expected from such "reform agencies" as these but failure and disappointment? Nor is it to be considered matter of wonderment if the "Mormon" people and their leaders justly held it in scorn. "When you get back to the states," said Brigham Young to a United States officer, just on the eve of leaving for the east, "no doubt you will be asked many questions about me. *I wish you would tell them that I am here, watching the progress of civilization.*"⁵⁰ This in the light of the facts set forth in this chapter, is a stinging rebuke to those who looked upon the "Utah Expedition" as a "reforming agency" that would reclaim the "Mormons" from the error of their ways.

Another purpose this chapter will serve is that it will be an absolute vindication of the course of Brigham Young and his associate leaders of the church in resisting the entrance of even the United States army into the then newly settled and recently organized territory of Utah. In making up his judgment upon that statement the intelligent reader will remember that Governor Young and his associate leaders were in no way officially notified of the organization of that army or the purpose for which it was being marched into Utah. And

49. *History of Brigham Young, Ms.*, entries for March, 1859, p. 293.

50. The officer was United States attorney for Utah, Alexander Wilson, the incident occurred when he called on President Young to announce his early return to the states on account of the health of his wife, and to offer his library for sale. (See *History of Brigham Young, Ms.*, Aug. 22nd, 1859, p. 642). Mr. Wilson promised to report the president as above, and "would nothing extenuate, nor ought set down in malice." So far as known he kept his word, as all his official reports to the federal administration bear witness. (See his very numerous communications published in *Senate Documents*, 36th Congress, 1st Session, No. 32, pp. 21 to 64 inclusive).

as we have seen,⁵¹ not even its advanced courier sent to look out a suitable camp site for it could give any official statement of the purpose for its coming. He could only give his personal conviction that the evil intent which popular rumor ascribed to it did not truly represent its purpose. That was held by the Utah leaders to be not sufficient guarantee for the security of the people of the territory. And whatever might be the disciplinary instruction to the officers and the army proper there was the large camp following and the very large contingent of teamsters to be accounted for, and the problem of discharged soldiers all of which several groups would not be subject to army discipline and would constitute uncontrollable elements—as they actually became—of menace to the peace and moral security of the whole people of Utah.

The "Expedition" had been adjudged necessary and was launched upon its mission wholly upon the false testimony of the "run-a-way federal officials" of Utah; and the popular understanding of its purpose was the overthrow of the "Mormon" church and the breaking up of the "Mormon" community by force if necessary. That is what the presence of an army would mean under the circumstances.

The question to be considered here and now, and in the light of the truth of the facts set forth in this chapter is—what would have been the effect of the admission of that "Expedition" into the settlements of the Latter-day Saints of Utah without the resistance made to it, followed by the gesture of the people destroying their homes and again marching the poorly equipped mass into a desert wilderness? What would have been the effect of admitting that "Expedition"—it was no more than a small army of the United States; it was that plus its army of teamsters who were *not* enlisted men, but employees, and an unusually large number of army camp followers, parasites of gamblers, whiskey sellers and adventurers intending to fatten upon by absorbing the pay of the enlisted men and

51. See this *History*, chapter cvi.

officers—what would have been the effect of admitting such an "Expedition" into Utah unchallenged and without the sobering effect of the courageous resistance to its advancement, and the taming effect of the rigors of a fierce winter in the bleak regions of Camp Scott—Fort Bridger? No one of course may be able to give a conclusive answer to that question, since it is conceded to be difficult to determine what would have been the course of historic events if something had happened which did not happen. But of this we may be certain: the resistance of Brigham Young and his following to the entrance of that army into the settled parts of Utah, with the consequent taming effects of a winter spent amid the ice and snows of a bleak mountain region of all but arctic rigors, not only had a sobering effect upon the "Expedition," but also served notice upon it that it had to deal with a high-spirited people, under a leadership alert, efficient and fearless who would not hesitate to dare the venture of war measures even with the government of the United States if necessary to the preservation of their personal and community rights.

There can be no doubt but what this resistance had a very much needed modifying effect upon that "Expedition" after its arrival in Utah; and which together with their threatened exodus from Utah and actually begun before the arrival of the "Expedition" into Salt Lake valley—startled the nation and led to the demand upon the administration for an inquiry into the cause of all this, and led at least to the appointment of a commission if not of inquiry and adjudication which it should have been—a Peace Commission which, however "muddling" in its methods, brought about the settlement set forth in these chapters dealing with the subject.

This present chapter of horrors dealing with moral conditions following the advent and the settling of the United States "Utah Expedition" in Utah, and because of its advent into that territory over the protests of its people the Latter-day Saints—is the vindication of the church leaders and membership of that church at the bar of history for their resistance

to the entry of that "Expedition" into their settlements, aye, though it came in the authority of the United States of America; for the facts of this chapter reveal the true character of that "Expedition." And only God knows what "might have been" the result but for the heroic course followed by the fine leadership of the church sustained by the willing cooperation of a devoted people—the body of the church.

CHAPTER CXVII

MEETING OF THE LEGISLATURE—THE JUDICIARY PLUS ARMY SUPPORT—A CRUSADE

ONE of the first problems which confronted the new civil administrators of affairs in Utah was the question which place the legislature should meet in, Fillmore or Salt Lake City. The question was referred by Governor Cumming to Judges Eckles and Sinclair, who decided that Fillmore was the seat of the territorial government, and the place where the legislature must meet; which decision seemed to appeal to Governor Cumming.

Accordingly his excellency issued a proclamation for the legislature to meet at Fillmore, much against the desire of the members of the legislature, who knew that the accommodations the little village could afford, were not adequate to the needs of the assembly and its *attaches*; besides, the legislature of 1856 had declared the seat of government removed to Salt Lake City, which they held as valid in law. But since the governor and the judges decided to have the assembly meet in Fillmore, even if afterward there must be an adjournment to Salt Lake City, that course was followed.¹

1. It is said that Governor Cumming arrived at his decision to assemble the legislature at Fillmore "without investigating the law on the subject, or consulting the members of the legislature." (*History of Brigham Young, Ms.*, Dec., 1858, pp. 1152-3). This statement is an error, as the governor seems to have had the matter brought to his attention both by conversation and written communication—wherein the law bearing on the case was brought to his attention—with members of the legislature, and notably with Daniel H. Wells (*History of Brigham Young, Ms.*, entry for Oct. 9th, 1858, pp. 1004-5; also p. 1078); and still he was of opinion that the legislature should meet at Fillmore. The enabling act provided that the assembly should hold its first session at such time and place in the territory as the governor should appoint; and after that the governor and assembly should locate the seat of government for the territory at such place as they may deem eligible, which place, however, shall thereafter be subject to be changed by the said governor and legislative assembly." (*Organic Act*, sec. 12). Although Fillmore City had been designated as the seat of government by act of the governor and legislative assembly, yet by resolution, approved Dec. 15th, 1856, the same authority declared "that the seat of government is removed from Fillmore City to Great Salt Lake City, until otherwise provided by law." (*Acts, Resolutions and Memorials of the Legislative Assembly of Utah*, authorized compilation of 1866, ch. 79, p. 106). This would seem to be conclusive as to authorization by law for the legislature to meet at Salt Lake City; and in fact the legislative assembly of 1857-8 had met there; and surely it was as competent for

FILLMORE DECLARED THE CAPITAL: PRECAUTIONARY MEASURE

The majority of the assembly, however, "not believing that the decision of the judges and of the governor was lawful," took the precaution to meet on the 13th of December in Salt Lake City—to which place the legislature had adjourned in 1856. The respective houses organized and then adjourned to meet at Fillmore where a minority of the members (those living in the south of the territory) met and adjourned from day to day until a majority of the members arrived, which was not until the 18th of December. On that date the two houses met in conjoint session; Secretary of the Territory Hartnett, presented the message of Governor Cumming which was read and an adjournment taken by resolution to meet in Salt Lake City, on the 27th of December.²

THE GOVERNOR'S MESSAGE

The message of Governor Cumming was an excellent state document. It dealt quite frankly with the recently past difficulties and their adjustment, pointing out that by the acquiescence of the people in the conditions of President Buchanan's pardon, all political difficulties between the federal government and the people of Utah were now adjusted. "And I trust," he took occasion to add, "that your future

the legislature of 1856 to adjourn the legislature to Salt Lake City as it was for that of 1858 to do the same thing. One is tempted to believe that this *hocus pocus* about the meeting of the legislature at Fillmore, arose from a desire to discredit the proceedings of the previous legislature which had met in Salt Lake City—1857-8—under the authorization of the legislative resolution of 1856.

2. See *History of Brigham Young, Ms.*, entries for Dec., 1858, pp. 1096, and 1181; also Letter of John L. Smith, *Ibid*, p. 1191; *Deseret News* of Dec. 22nd, 1858. By the decision of the judges the legislature was compelled to make this journey of about three hundred miles—the round trip—in midwinter, having to break the road most of the distance through the snow both ways, and this for the accomplishment of no purpose unless it was in the hope of adding "mileage" to the account of the United States officials, or discrediting the legislature of 1857-8. Secretary Hartnett was "accompanied by a detachment of United States troops—infantry mounted in wagons," says John L. Smith. "An appendage," he adds, "very common for United States officials in this territory, simply designed to impress the unsophisticated 'Mormons' with a due appreciation of the dignity of federal appointees." (Letter to Stenhouse, date of Dec. 24th, copied into *History of Brigham Young, Ms.*, Dec., entries, p. 1190, *et seq*). President Young suggested to brethren of the legislature, that they "try and please the Lord without offending the devil," which, paradoxical as it seems, represented the needs of the hour. (*History of Brigham Young, Ms.*, Dec., 1858, p. 1147).

history will attest the sincerity of your professions of devotion to the Constitution and to the law."

He represented that the presence of the army must be felt as a reproach upon the patriotism by every honorable citizen; and yet the army could only be removed by avoiding every semblance of disloyalty, as the public opinion of the country must be satisfied of the loyalty of the people of Utah as a condition precedent to the army's removal. A number of practical suggestions relative to Indian affairs, to manufacturers, to building bridges and jails, to revision of previous legislative enactments, to defraying the expenses of territorial courts, to common schools, etc., etc., closed the document.³

COURSE OF THE JUDICIARY

Governor Cumming, as the chief executive of the territory, made an honest effort at conciliation with the people of Utah on the basis of President Buchanan's pardon of "Mormon offenses" as accepted by them—pardon for their overt acts in resisting the entrance of the army into Salt Lake valley, but otherwise denying the truth of the allegations of the preamble of the proclamation of pardon. Unfortunately the federal judges were not united with him in these efforts to establish peace. Chief Justice Eckles in a few months, as we have already seen, returned to the east evidently with the intention and for the purpose of influencing the administration at Washington to further acts of restriction against the saints, or else to an enlargement of the powers of federal officers in the territory.⁴

Judge Sinclair in his first charge to the grand jury of his district—which included Salt Lake City—directed them to give special attention to treason and to polygamy, the latter was reported to be quite prevalent in the territory. The judge did not directly urge the finding of indictments for this latter

3. The message complete is published in *Deseret News* of Dec. 22nd, 1859.

4. See Letter tendering banquet to Judge Eckles on the eve of his departure for Washington, *Deseret News* of Oct. 27th, 1858.

offense; he conceded that the statutes of the territory were a blank upon the subject; and that there was "nothing in the acts of congress that touches that question;" but he urged that the grand jury investigate and report upon the extent of the practice, that responsibility might rest where it belonged for its continuance—with the territorial legislature or the national congress. "Let the facts concerning it go to the world," was his admonition to the jury, "and, according to my reading of the law, your responsibilities and those of this court will be at an end."⁵

Respecting the crime of treason the judge was more insistent, urging that treason must be judicially determined and the pardon personally accepted before it was effective. Of the president's pardon, "although a public fact in the history of the country, this court cannot take judicial cognizance,"⁶ said the judge. With this view, however, Mr. Wilson, the United States district attorney, was not in sympathy, and gave his reasons at length to the grand jury in open court by permission of the judge. He held that the Peace Commissioners were invested with authority to carry into effect the provisions of the proclamation—they did so and returned to their homes. The conditions, expressly set forth in the proclamation were accepted and acquiesced in by the people of Utah, whom they concerned; the governor of the territory had officially announced the acceptance of pardon, with the prescribed terms, by the people, on the 14th of June, 1858; and the conditions on which the pardon had been granted had been faithfully adhered to and carried out. For these reasons the district attorney held "that there are now

5. The judge's charge to the grand jury is given *in extenso* in the *Deseret News*, impression of 24th Nov., 1858. Bancroft says "to ask a Mormon grand jury to indict the leading dignitaries of their church for polygamy was, of course, little better than a farce." (*Bancroft's History of Utah*, p. 539). In justice it must be said that the judge's charge to the jury discloses no such purpose; it was an attempt to call the attention of the grand jury to, and direct the investigation of, a matter of general public report—so expressed by the judge.

6. Charge to the grand jury, (*Ibid*). "In brief," says Stenhouse, "he [Judge Sinclair] wanted to bring before his court Brigham Young and the leading Mormons to make them admit that they had been guilty of treason, and make them humbly accept from him the president's clemency." (*Rocky Mountain Saints*, p. 402).

no acts of sedition, treason, or rebellion against the government of the United States in this territory;" and therefore he could present no bills to the grand jury against any inhabitant of Utah territory for such offenses.⁷ There the matter was dropped.

Sinclair's court also took up the matter of "intimidation" of Judge Stiles' court by James Ferguson *et al*, in February, 1857. The bills brought against the associates of Ferguson, Hosea Stout and J. C. Little, were dismissed, but Mr. Ferguson was brought to trial. After occupying the time of the court through several weeks, the case went to the jury, which brought in a verdict of "*not guilty*;" and thus the *cause celebre*, which had been widely used to create popular sentiment against the people of Utah, ended.⁸

In the case of Burr *vs.* Ferguson, an action growing out of the alleged intimidation case in Judge Stiles' court in 1857, Brigham Young was served with a summons to appear as a witness at the instance of D. H. Burr, the plaintiff, a Gentile lawyer, prosecuting the case for the disbarment of Ferguson. The service of the summons, which took place at the president's residence, created some uneasiness among his personal friends; and it exhibits the tension of feeling under which the community lived in those trying days when it is recalled that such men as Heber C. Kimball, D. H. Wells, Orson Hyde, Orson Pratt, George A. Smith, F. D. Richards and John Taylor thought it necessary to arm themselves and accompany their prophet-leader to the court for his protection.⁹ The matter seems also to have greatly agitated Governor Cumming, who feared that in view of the treatment accorded to church leaders before the courts in the past, Brigham Young might refuse

7. The remarks of United States District Attorney Wilson are given at length in the *Deseret News* of Dec. 1st, 1858.

8. See *Deseret News* of Jan. 12th, 1859. Editorially the *News* said: "It is a pity that the United States have incurred so much expense for a matter which we have ever deemed to be no cause of action; or, if cause for any action, at least no more than a fine for contempt by Judge Stiles at the time the [intimidating] remarks were made."

9. *History of Brigham Young, Ms.*, entry for Dec. 1st, 1858, pp. 116 and 121.

to respond to the summons, and thereby bring on a controversy with the courts.¹⁰ The governor called at the president's office and proposed to accompany him to the court; and later volunteered to go to the court and inform the judge that when "Mr. Young was wanted, he himself would introduce him."¹¹

President Young asked the privilege of remaining in his office—but a short distance from the court—until his evidence was wanted, a request that was readily granted by Judge Sinclair. The case, however, was continued from the 1st until the 3rd of December, at which time President Young, not wishing to ask further favors of the court, and also to show his appreciation of the previous courtesy accorded him, walked into the court room promptly at the hour appointed for the sitting, "that no hindrance of business might be charged to neglect on his part, nor any circumstance occur to cause the judge to regret having extended a highly appreciated courtesy."¹² The president was accompanied by Governor Cumming, his friends previously named and a number of others from his own and the Church Historian's office. The case was continued from time to time until finally it was taken out of court by the prosecuting witness, and therefore President Young was not placed on the witness stand.

"That I might have been guilty, at the time referred to of

10. "The court is resolved to bring out Brigham Young before it on a subpoena as a witness in the case of Burr; Governor Cumming felt troubled about it more than anything else, fearing that Brigham Young would not comply." (*History of Brigham Young, Ms.*, entry 29th Dec., p. 1114).

11. *History of Brigham Young, Ms.*, Dec. 1st, 1858, pp. 1118-9. Sometime before, in conversation with Judges Sinclair and Cradlebaugh, "Governor Cumming said he did not think it good policy to establish forcible measures to get Brigham Young to court on every frivolous case; and even not at all until the character of the United States court was better established than heretofore; 'for you all know damned well,' said his excellency, 'that the people have not been very civilly treated in many instances by dignitaries; and during the present excited state of things, I think it would be policy to take pacific measures and not try to disturb the people any more.'" (Reported by A. O. Smoot, mayor of Salt Lake City, *History of Brigham Young, Ms.*, entry for 29th Nov., pp. 1113-4).

12. *Ibid*, pp. 1120-21. The summons served on President Young by the court record was an *alias* subpoena, but what official document it was the second time does not appear, as no other service was attempted upon the required witnesses. (*Ibid*, pp. 1120-1. Also *Deseret News* of Dec. 8th, 1858).

contempt," said Mr. Ferguson in addressing the court, "I will not entirely deny. That every lawyer who spoke during that term ought to have been fined, I fully believe. The judge would have been honored for doing so."¹³ It will be remembered that it has already been noted that George P. Stiles, the judge in whose court the contempt had been shown by Ferguson, and perhaps by others, was a disreputable character, and it was likely that disgust for the man led up to contempt for the judge.

The acquittal of Mr. Ferguson in the intimidation case was not a white-washing affair by a 'Mormon' jury, as might be supposed but was a unanimous verdict by a mixed jury. "General Ferguson's defense," writes our chronicle of the times, "has been of a highly scientific character. The jury that acquitted him contained three of our ["Mormon"] most bitter enemies, and several who do not claim to be citizens of this country, who came here with the army, and who calculate to go away in the spring. *A unanimous verdict from a mixed jury is a denial of the charges* in Mr. Buchanan's proclamation bearing upon the intimidation of the courts and the destruction of their records."¹⁴

It was in connection with this case that the charge was made that the United States court records were destroyed. In President Buchanan's Proclamation of Pardon the incident is referred to in these words: "Judges have been violently interrupted in the performance of their functions, and the records of the court have been seized, and destroyed or concealed." "*Not guilty*," is the unanimous verdict of a mixed jury.

CONFLICT ON TERRITORIAL AND FEDERAL COURT OFFICIALS

Judges Sinclair and Cradlebaugh each held that the United States district attorney, and the United States marshal were the proper officers to function in both the United States

13. Court Record in *Deseret News* of Dec. 8th, 1858.

14. *History of Brigham Young, Ms.*, entry for 12th of Jan., 1859, p. 105.

and the territorial courts rather than the territorial attorney general and the territorial marshal,¹⁵ and this notwithstanding the territorial law provided that the latter should "execute all orders or processes of the supreme or district court in all cases arising under the laws of the territory;" and the former should "attend to all legal business on the part of the territory, before the courts where the territory is a party; and prosecute individuals accused of crime in the judicial district in which he kept his office, in cases arising under the laws of the territory." Territorial district attorneys were to discharge the same functions in their respective districts.¹⁶ Judge Cradlebaugh held that the criminal jurisdiction given to the probate courts by the territorial legislature was invalid. "It seems that the legislature has vested them with criminal jurisdiction to prevent the district court from having anything of the kind to do," said the judge. "We say they [the legislature] have no power to do so. The fact of a person having been brought before that [the probate] court is no bar to his being brought before this [i. e. the district court]; it is no more a bar than it would be if he had been brought before a vigilance committee in California." This ruling for the time being, until it could be contested in the courts on appeal, threw the selection of both grand and petit juries and the whole machinery of the courts into the hands of the anti-"Mormon" party, by which the liberties of "Mormons" accused of crime were greatly imperiled. Moreover the judge held that the territory should meet the court expenses of these federal officers when transacting territorial business,¹⁷ which

15. See letter of Seth M. Blair to Senator Sam Houston, date of Jan. 15th, 1858, copied in *History of Brigham Young, Ms.*, entries for Jan., 1858, p. 130. Also Court Record of Judge Sinclair's court, 3rd District, *Deseret News* of Dec. 1st, 1858; and January 12th, 1859. For Judge Cradlebaugh's ruling see Court Record of 2nd District, March 9th, 1859, *Deseret News* of March 16th, 1859.

16. This legislation and its history have been already considered at some length. (*Ante* chapters cii and ciii. See charge to grand jury, March 8th, *Deseret News* of March 16th, 1858).

17. See Blair's letter to United States Senator Sam Houston of Texas. Also *Deseret News* of March 16th, 1859; and letter of George A. Smith to Colonel Thomas L. Kane, date of Jan. 14, 1859, copied in *History of Brigham Young, Ms.*, entry for January, 1859, p. 132, *et seq.*

would make it possible for the United States judiciary to prey upon the treasury of the territory. As an illustration of this very great probability take the first session of Judge Sinclair's court, which ran through a term of one hundred days, of which there were but thirty-eight days when the court was in session; but the fee expenses of the officers, deputy marshals, jurors, grand and petit, witnesses, etc., continued through the term until discharged. It was held that the dilatory tactics of Judge Sinclair by which his court term was prolonged was to provide his retainers, transients, and loafers about the city, with the means of subsistence. "Judge Sinclair," wrote John L. Smith, chief clerk of the territorial legislature, "commenced his court the 4th of October; but not continuing his term of sixty days, according to 'Banvier,' he has adjourned from week to week and only sat altogether twenty-three days,¹⁸ averaging about one hour per day. The probable design of this is to feed at the expense of the United States his juries and other officers composed mostly of strangers, who are anxious to procure the means of subsistence until they can get away."¹⁹

Relative to the whole course of Judge Sinclair, George A. Smith at the time, under date of Dec. 24th, 1858, wrote:

"The court for the third judicial district, in this territory, has been in session since November 1, but has actually sat only twenty-three days, averaging one hour per day, and has done little or no business. The transverse jury has never been sworn. Judge Sinclair has made every effort in his power to rake up all difficulties cancelled by President Buchanan's general amnesty. The judge has ruled that the United States marshal and his deputies are the officers of the courts in all territorial cases, thereby setting aside the sheriffs of all the counties, the territorial attorneys, and other officers. This ruling is in direct violation of the law and of all precedents in any of the territories of the United States for the last sixty years, or since the days of John Adams, at which time the territory of Kentucky, in the face of similar ruling, was about to rebel against the

18. The court sat thirty-eight days altogether, as per former statement in the text, but only twenty-three days up to the time of the date of this letter, 24th Dec., 1858; while court continued until 18th of January following. (See *Deseret News* of Jan. 18th, 1859).

19. Letter of John L. Smith to Stenhouse, date of Dec. 24th, 1858, copied into *History of Brigham Young, Ms.*, entries for Dec., 1858, p. 1194.

United States government, and join the Spaniards, but was prevented by the government conceding the point. Judge Sinclair's decisions abrogate the principle of the Nebraska law, and are a direct infraction of the Constitution of the United States, leaving the people of this territory in worse than colonial vassalage. The United States supreme court in Washington will no doubt rectify these matters, but it will take some time and impose considerable expense."²⁰

A DESPICABLE JUDICIARY

Referring to the probable disastrous effects of these rulings upon the territorial treasury, George A. Smith, writing to Colonel Kane, said:

"The United States court in this district closed its first case on the 11th inst. after a session of thirty-eight sitting days, and occupying the time of one hundred days. The court is authorized to expend six days of its session, or so much of it as may be necessary, to accomplish United States business; but by prolongation, the marshal is enabled to deplete the treasury, and to sustain some of the strangers who are in the country. However correct legal men may regard this course of wasting time, the citizens look upon it as a species of ridiculous loaferism.

It is rumored that the judge has adjourned court for want of expense money, court expenses will undoubtedly be a very sore item in this territory, if the judges and other imported officers make an onslaught on the county treasuries similar to what has been before attempted here by the United States judges on the national treasury. The expenses of one term of Judge Drummond's court here *was more than four times the amount of the whole territorial revenue.*

These expenses were contracted under the act authorizing the first six days of the term, or so much of it as might be necessary, to be devoted to the transaction of the United States business. With a single exception, the Hon. Z. Snow, all the judges who have been sitting in this territory, have pursued a similar course, saddling upon the federal treasury claims to the amount of nearly half a million. Rich and proverbially liberal as Uncle Sam is acknowledged to be, he has refused to pay these court expenses, and the paper certified by the judges as necessary and reasonable in amount is not worth three per cent. If Judge Sinclair and his drunken clique expect the counties to furnish at the ratio on which the federal funds have been expended since he opened court, they will find themselves drawing upon an empty box.

In this barren country fees of courts must necessarily be low, and loyal service rendered cannot meet with that ample reward which the old and wealthy states of Pennsylvania, New York, Virginia, and Ohio can afford to pay.

It is very annoying to a community to feel sensible that every act

20. Letter to the president of the European Mission, Asa Calkings, copied into *History of Brigham Young, Ms.*, entries of Dec., 1858, pp. 1187-8.

of the court that has jurisdiction over them, is a step towards placing them in an unfavorable position before their fellow countrymen. But while whiskey presides in our judicial halls, we expect the streets will be 'icy,' and the reports unfavorable.

If the members of the legislature ever make the attempt to furnish funds for these courts to expend on the ratio on which the United States court has been expending in this district for the last four months, every member voting for such an appropriation would be sure to find it his political grave; while his constituents would stand a fair chance of being sold out for taxes."²¹

Throughout the course of Judge Sinclair was despicable. He threatened that when his court convened in the ensuing May term, for 1859, he would have three-fourths of the army at Camp Floyd quartered in one of the public squares of Salt Lake City, "ready to carry out his orders;" and in every way manifested a disposition to bring on a collision between the army and the people.

"The speculators still seem determined to let no opportunity slip to create a 'muss.' There are strong rumors that Judge Sinclair is about to bring a large detachment of troops to this city to convince the inhabitants that he really is a much more important personage than they have any idea of."²²

A Salt Lake correspondent of the *New York Herald* wrote his paper on the 23rd of April as follows:

"In my last letter I informed you of the threat of Judge Sinclair that he would hold court in this city during May, with three-fourths of the army now at Camp Floyd, quartered in Union Square, ready to carry out his orders. The apprehension of a collision which that threat inspired measurably died away in the bosoms of the people generally, and the youthful judge was beginning to get credit for ideal braggadocio, and his tongue was regarded as having divulged what was in his heart to do, if he only could get the chance; but, alas! the day after the departure of the last mail from here, rumors of his intentions were in circulation at Camp Floyd, which leaves us no reason to doubt that his threat was no idle boast, but is in reality the fixed determination of his heart, to lead to a collision between the citizens and the troops. Of this Governor Cumming is apparently fully convinced, as also the other

21. Letter copied into *History of Brigham Young, Ms.*, entries for Jan., 1859, pp. 133-5.

22. Letter of John Jaques, assistant church historian, to Stenhouse, date of April 22nd, 1859, copied into *History of Brigham Young, Ms.*, entries for April, pp. 370-1.

officials outside of the judicial clique. By the departure of the next mail, plans will be better developed, if not even then carried into execution, or at least attempted; and should you then hear of the eagerly-sought-for collision having taken place, it can be witnessed that we have not sought it, but that it is the deep-laid scheme of sutlers, degraded judges, and disappointed officers of our great republican army, for the sake of perishable gold, gratification of personal revenge, and the empty glory of swords to be crimsoned with the blood of fellow citizens."²³

JUDGE CRADLEBAUGH'S COURTS—PLUS MILITARY DISPLAY

Of the judicial procedure of Judge Cradlebaugh, in the second judicial district, I have already spoken, in part, in connection with his attempts to secure indictments against supposed perpetrators of the Mountain Meadows Massacre, and the Parrish or Springville homicides committed within his judicial district.²⁴ The effort to bring to the bar of his court the perpetrators of the above named crimes was an act in itself worthy of all commendation, for they were atrocious crimes; it was the judge's methods only that are open to criticism. He organized his court on the 8th of March, at Provo. On application to General Johnston a detachment of one hundred soldiers was detailed to attend upon the court, commanded by Captain Heth, the officers being given headquarters in the building used as a courthouse,—a seminary school building—in a room immediately under the one occupied by the grand jury; while the troops were tented on the seminary block. The judge conceded that the presence of the troops was an unusual thing, but he regarded their presence as necessary to take care of the prisoners—as he had heard there was no jail at Provo—and to “preserve the peace.”²⁵

23. See *New York Herald* of 25th May, 1859.

24. *Ante*, chapter ci, this *History*.

25. *Deseret News* impression of March 30th, 1859. “Some United States troops are here. Perhaps it is an unusual thing for them to be here. I knew that there were those who were guilty, out by the camp, and also that there were many guilty around here, of numerous offenses. I was informed that there was no prison here, and those troops were sent by the commanding general, at my request, to take care of the prisoners now in custody, and not to interfere with any one. They are here to take care of and preserve the peace. If prisoners are brought they will be taken care of, and the whole authority of the troops is to detain those persons in custody that may be taken prisoners, until they are called for by the court, and they have no power beyond that.” (*Court Record*, 2nd District, judge's remarks to the grand jury, *Deseret News*, March 16th, 1859).

Twelve days later the number of troops was increased by an additional detachment of nine hundred men²⁶ under command of Major Paul. Eight companies comprised this second detachment; a company of artillery, and one of cavalry, added to its efficiency. The detachment camped within sight of the courthouse.²⁷

This unusual and unnecessary display of military power in civil affairs was vigorously protested by the people of the second judicial district. A respectful but vigorous petition signed by five hundred citizens of Provo was addressed to the mayor and city council declaring that their "feelings were aggrieved and outraged" by "the appearance of a military force" in their peaceful city, "surrounding the court and investing the halls of justice." The petition further characterized the proceeding as a "high-handed outrage, a direct infringement upon the rights of American citizens and a gross violation of their liberties and municipal immunities." They declared Judge Cradlebaugh's statement that there was no jail in Provo to be an error. "It is well known to all our citizens," declared the petitioners, "that we have one, and that the civil officers, both of the city and the county, hold themselves in readiness at all times to secure and take care of prisoners." The petitioners held that the troops could only be present for one of two purposes: either the judge was afraid of his own personal safety, and the troops were there

26. Judge Cradlebaugh remarked: "I wish to call the attention of the public to a letter which I received yesterday from the commanding general. *He has seen cause to send an additional number of troops here (nine hundred)*, and he desires that I shall state to the court that they are not here to interfere with the citizens of the territory, unless the conduct of the citizens should make it necessary that such interference should take place in self-defense. The commands sent over are not sent with a pretense to make an attack upon citizens, therefore none need entertain those views. The desire of the commanding general is to aid the court in the discharge of its duty, and to bring offenders to justice. The troops come here to be within reaching distance, for the purpose of enforcing the law, and not for the purpose of violating it in any way." (Second Judicial District, *Court Record*, March 21st, *Deseret News* of March 30th, 1859).

27. Governor Cumming's proclamation of 27th March, 1859. *Deseret News* of 30th March, 1859. Judge Black, attorney-general in Buchanan's administration, reviewing and condemning the course of Judge Cradlebaugh and General Johnston, says that "ten companies" in addition to the first, "made their appearance in sight and remained there during the whole term of the court." (*Senate Executive Documents*, 36th Congress, 1st Session, No. 32, p. 2).

for his protection; or they were there to intimidate the citizens, witnesses, and jurors, and pervert justice. As it was impossible to believe the first suggestion, and the officers were quartered in a room immediately under that where the grand jury met—"with only a slight ceiling between"—it looked like the purpose of the detachment's presence was intimidation. The judge's statement that the troops were there "*to take care of the prisoners and to preserve the peace,*" was regarded—the first suggestion, as being "an attack upon the fidelity of our civil officers;" and the second, "a direct insult to the inhabitants of this city." "We therefore," concluded the petition, "request your honorable body [the mayor and city council] to order the removal of these troops from our midst."²⁸

The mayor and city council informed the judge of the petition of the people, and added to their representation the further statement of fact that the presence of the troops had made it exceedingly difficult for the officers of the city to preserve the peace between the unruly portion of citizens and the soldiers—several unpleasant incidents having already occurred; and the presence of the soldiers stationed around the place of holding the court "savoring of a military interference with the municipal regulations of American citizens," the city council asked for the immediate removal of the troops beyond the city limits.

The judge declined to comply with this request, reaffirming the necessity of the presence of the troops to take charge of prisoners, and declared that the troops were a quiet and orderly set of men. He challenged the statement of their annoying or interfering with the citizens. "This I will say, however," said the judge, "that as soon as I can dispense with their most useful services I shall do so."

This brought forth a more vigorous protest from the mayor and city council: the city authorities had been under the necessity of doubling the police force to preserve the

28. The petition *in extenso*, will be found in *Deseret News*, impression of March 30th, 1859.

peace between indignant citizens and the troops; several soldiers found drunk on the streets had been arrested, and the police, "not wishing to bring a stain on the court by putting them in jail," had taken them to their quarters and delivered them to their officers; a soldier had interfered with a civil officer when the latter was quelling a street row; other soldiers "had been caught in the act of attempting to break into houses at night," said the second communication of the city council, "that can be proven by many witnesses." The army itself was degraded by the service imposed upon it by the court, said the council—it was unworthy of the gallantry of soldiers "to use them as a county jail—a walking calaboose!" And "all experience has proven that the introduction of soldiers into cities or villages has had a uniform tendency to produce hostile feelings." But most of all the protest was leveled at the usurpation of civil functions by military authority. In conclusion the request for the removal of the troop was renewed.

No better protest against the usurpation of military power over the civil authority is to be found in our American annals than in the protest of the city council of this obscure town of Provo, in the territory of Utah.

"Whatever may have been the object of clothing the court with a military escort, it has the most dangerous tendency; it usurps the functions of civil officers—performs the duties the law never designed for the army, and renders null and void the civil officers that have been appointed by law; it presents the judiciary to the people in the light of a military inquisition. The lives and liberties of all persons accused are jeopardized by the examination of witnesses and the action of jurors under the influence of a military intimidation and espionage. * * * Should such an order of things continue, we have reason to fear that the time is not far distant when witnesses will be sworn at the point of the bayonet, and the law executed by the sword. As a beginning, a single corps, highly honored for its discipline, the superior skill and scientific attainments of its officers, is placed out of its constitutional sphere to perform the duties of sheriff, marshal, or jailor, the military power then supersedes the civil, in a limited degree to be sure, but military power seldom retrogrades, and jurors are controlled by them; the court follows in the wake—that bulwark of human liberty—an independent, high-minded judiciary, sustained by the people, is thus annihilated. The

legislative and executive departments are soon overcome, and the sword of a Julius Caesar puts an end to the whole fabric of liberty."²⁹

"Contrary to all those principles of equity and justice that should characterize a court, it has pleased Judge Cradlebaugh to set aside, in several instances, the civil authorities and, without the least valid reason known to us, to employ federal troops to execute the orders of his court, thereby clearly indicating on his part, so far as we can discern, an utter disregard of the latest expressed views and policy of the administration concerning Utah, and the views and policy of your excellency and all good citizens, and a settled purpose, for some cause, to force an angry collision between the citizens and troops, which is well known is not so difficult to accomplish in the best ordered town or city in the Union, especially when one class is caused to illegally supplant, taunt, and oppress the other."³⁰

Several other settlements of the judicial district joined with the citizens of Provo in the protest and demand for removal of the troops, but the request was not heeded. Indeed it was after the first protest to the attendance of the troops upon the court was made by the city council of Provo, that the number of troops was increased from one hundred to one thousand; and after the second protest Judge Sinclair meanwhile continued to employ federal troops to execute the orders of his court in Salt Lake City.

Governor Cumming himself was in Provo from the 14th to the 20th of March, and on the latter date wrote a communication to General Johnston reciting the facts connected with the presence of the troops at Provo, expressing the opinion that their presence was unnecessary and asking that the troops be withdrawn from within the walls of the city and to be so disposed as to "relieve the inhabitants from the influence of a military encampment in their vicinity." This General Johnston declined to do, giving such interpretation of his instructions as warranted his granting a military force for special service in one as well as the other of the coordinate branches of the territorial civil government, that is to say, to

29. These petitions, protests and answers will be found in the *Court Record* of the 2nd Judicial District, *Deseret News*, impression of March, 1859, 16th, 23rd and 30th, respectively.

30. Memorial and Petition to Governor Cumming, see *Deseret News* of March 30th, 1859.

the judiciary as well as to the executive branch of such government.³¹ He justified himself in the present instance in consequence of "the arrest of the mayor of Provo and the intention to arrest the bishop of Springville," which was likely to result in some excitement.³²

GOVERNOR CUMMING'S PROTEST AGAINST THE USE OF MILITARY
DISPLAY IN CONNECTION WITH CIVIL COURTS

This refusal on the part of General Johnston led Governor Cumming to issue a proclamation reciting the facts involved in the case, and making a solemn protest against the present use of a military force, and also against all future movements of troops incompatible with the instructions given to him by the general government, which instructions he annexed and published in connection with his proclamation.³³

Governor Cumming in a letter to Lewis Cass, secretary of state, said of this incident: "Persons who had been served with subpœnas as witnesses have been arrested in court as criminals, and committed to the guard-tent. Among the prisoners was the mayor of Provo. His arrest and confinement in a guard-tent created a feeling of indignation among the inhabitants of Provo. He was released the next morning for want of evidence against him. His arrest was probably the reason why Wall [the 'Mormon' sheriff] said he 'did not like to see the mayor treated like a dog,' and that 'it would be necessary to increase the police force to keep the boys in order.' Not the slightest disturbance occurred, however. The above-mentioned remark of Wall is supposed to have induced Captain Heth, who was the officer commanding the detachment at the courthouse, to make requisition upon General A. S. Johnston for an increase of force, whereupon Major Paul was ordered to march upon Provo with eight companies of infantry,

31. The letters of both the governor and the general will be found in *House Executive Documents*, 36th Congress, 1st Session, No. 78, pp. 18-21.

32. See letter of General Johnston to Governor Cumming, of March 22nd, *House Executive Documents*, 36th Congress, 1st Session, No. 78, p. 20.

33. *House Executive Documents*, 36th Congress, 1st Session, No. 78, pp. 23-34. Also the Proclamation was published in *Deseret News* of March 30, 1859.

one of artillery, and one of cavalry, who are now encamped in the vicinity of Provo. All these military movements have been made without consulting me at all. I believe them to have been made without sufficient cause. There has been no 'opposition,' nor 'any just cause to expect opposition,' on the part of the inhabitants who, so far as my information is concerned, have manifested no disposition to oppose the civil officers in the discharge of their duties."³⁴

Meantime the citizens of Provo drafted a Memorial and Petition to Governor Cumming, detailing the facts and showing how such a course as that inaugurated by Judge Cradlebaugh and General Johnston, violated every principle and guarantee of the settlement of the late difficulties between the people of Utah and the national administration, and ended by asking the governor to fairly and fully report to the proper department in Washington the official proceedings of Judge John Cradlebaugh in the second judicial district.³⁵

JUDGE CRADLEBAUGH'S CONFLICT WITH THE GRAND JURY

Pending the appeal to the federal administration it is fitting that other procedure of Judge Cradlebaugh's court should be considered. As already stated his determination to ferret out and bring to trial the perpetrators of the Mountain Meadows Massacre and the Springville homicides was a commendable thing in itself, but he proceeded on most unwarrantable grounds, not only in surrounding his court by a military force, but by the assumption that the crimes he would particularly punish were crimes that received community sanction, and that the perpetrators of them were community-protected. He mentioned larcenies committed near Camp Floyd, the Mountain Meadows Massacre, and the Springville homicides, then said:

34. *House Executive Documents*, 36th Congress, 1st Session, No. 78, p. 22.

35. The Memorial *in extenso* will be found in *Deseret News*, impression of 30th of March. Also *House Executive Documents*, 36th Congress, 1st Session, No. 78, pp. 14-17.

"To allow these things to pass over gives a color as if they were done by authority. The very fact of such a case as that of the Mountain Meadows shows that there was some person high in the estimation of the people, and it was done by that authority; and this case of Parrishes shows the same, and unless you do your duty, such will be the view that will be taken of it. You can know no law but the laws of the United States and the laws you have here. No person can commit crimes and say they are authorized by higher authorities, and if they have any such notions they will have to dispel them."³⁶

"Judge Cradlebaugh's address," remarks H. H. Bancroft, "was ill-advised. The 'higher authorities' of which he spoke could only mean the authorities of the church, or in other words of the first presidency; and to condemn and threaten to impeach that authority before a Mormon grand jury was a gross judicial blunder. Though there may have been cause of suspicion, there was no fair color of testimony, and there is none yet [1890, date of Bancroft's work] that Brigham or his associates were implicated in the massacre. And to the natural reluctance that a 'Mormon grand jury' would have to proceed against religious leaders whom they knew personally, with whom they had crossed the plains and the mountains in a great pioneering journey, the further fact might be added, that bringing them before Judge Cradlebaugh's court, was bringing them, under all the circumstances, into a military encampment where there would have been slight opportunity of a fair and impartial hearing of the cause."³⁷

After two weeks' service the grand jury not proceeding with that promptness in the special cases mentioned in his charge to them at the opening of the court session, Judge Cradlebaugh summoned them into court, and summarily dismissed them "as an evidently useless appendage of a court of justice."³⁸ The grand jury resented this impeachment of their integrity as officers of the court, in the following manly protest:

36. See charge of Judge Cradlebaugh to grand jury, published in *Desert News* of March 16th, 1859.

37. Bancroft's *History of Utah*, p. 560.

38. See *ante*, ch. ci, note 16.

"We, the undersigned, having been lawfully summoned as grand jurors for the second judicial district of the territory of Utah; and having been summarily and insultingly discharged by the Hon. John Cradlebaugh, United States associate justice for said territory, while in the faithful and diligent performance of our duties as a sworn inquest, do hereby enter our solemn protest against the language and conduct of the aforesaid Judge Cradlebaugh addressed and used towards us at the time of our discharge.

We were surrounded in our deliberation in our jury room by a detachment of the army; and army officers' quarters within hearing of the evidence of witnesses while being examined by us.

We presented indictments for offenses against the laws of the United States. Our indictments were treated with contempt, and the prisoners indicted have been liberated without trial. Witnesses subpoenaed to be examined by us have been treacherously arrested, and thus have we been deprived of their evidence.

Notwithstanding being thus trammelled by the court, we have honored our oath and were endeavoring to faithfully discharge our duties when we were dismissed by his honor, with a slanderous and insulting harangue.

Provo City, Utah County,
Territory of Utah,
March 22, 1859,
John Riggs, Foreman,
In behalf of the Grand Jury."³⁹

Judge Cradlebaugh further insulted the grand jury when discharging them by saying,

"You are the tools, the dupes, the instruments of a tyrannical church despotism. The heads of your church order and direct you. You are taught to obey their orders and commit these horrid murders. Deprived of your liberty, you have lost your manhood, and become the willing instruments of bad men. I say it to you, it will be my earnest effort, while with you, to knock off your ecclesiastical shackles and set you free."⁴⁰

The remarks though directed to the grand jury do not appear in the published harangue of the judge to the grand jury as corrected and revised by him.⁴¹ Commenting on the speech of Judge Cradlebaugh when dismissing the grand jury, the *New York Herald* of May 7th said:

39. *Deseret News* of 30th March, 1859.

40. See Stenhouse, Tullidge, *et al.*

41. See copy of remarks as revised by him in *Deseret News* of March 30th, 1859, p. 26. But the evidence that he addressed these words to the grand jury admit of no doubt, though deleted from his published address as when corrected for publication.

"His address in discharging them is one of the most extraordinary judicial speeches which can be furnished from the records of any court in the civilized or semi-civilized world. * * * In this vindictive and most undignified speech he has clearly shown himself unfitted for the position he occupies."

On the same subject the *Philadelphia Ledger* said:

"From the specimen he [Cradlebaugh] gave of his temper and fractious feeling, he evidently is an unfit person to preside over a court of justice and we do not wonder that the grand jury refused to find any bills. * * * Judges who act so indiscreetly and perversely in authority should be recalled."⁴²

At the time of dismissing the grand jury Judge Cradlebaugh also said:

"When this people [i. e. the Mormon people] come to their reason, and manifest a disposition to punish their own high offenders, it will be time to enforce the law also for their protection. If this court cannot bring you to a proper sense of your duty, it can at least turn the savages in custody loose upon you."

The savages referred to were two Indians on trial before the court for rape and attempted rape. Their names were "Pangunts," commonly known as "Moze;" and "Namowah," commonly called "Looking Glass." Their crime, and there was little doubt of their guilt, was a peculiarly revolting one, since the assault was made upon a mother and her daughter at the Indian farm near Springville. The latter was a child of ten, and in her case the crime was attended by cruel lacerations which, with the accompanying brutality, caused her life to be despaired of for a long time.⁴³

Yet the judge, true to this threat, turned the parties arrested for this crime loose upon the community, saying to them when dismissing them:

42. Quoted in the *Deseret News* of June 1st, 1859. The *New York Tribune* was also pronounced in its condemnation of the Utah judges. See the *Tribune* excerpt copied in *Deseret News* of May 25th, 1859.

43. Letter of George A. Smith, church historian to Stenhouse, date of March 30th. *History of Brigham Young, Ms.*, entries for March, 1859. To make the arrest of these two Indians it became necessary to resort to a military posse; "and an Indian, not one of those charged with the offense, was unfortunately killed." (Governor Cumming's message, *Deseret News* of Dec. 22nd, 1858).

"Crime should be prosecuted, ordinarily, but in looking at the constitutional rights guaranteed to you, the grand jury having adjourned [the grand jury had been summarily dismissed by the court before completing its business] the court feels it its duty to discharge you."

"With regard to these Indian prisoners," said his honor, later, "they will be kept in the care of the military authorities until they get to Camp Floyd, when they will be finally discharged."⁴⁴

THE FEDERAL ATTORNEY FOR UTAH OPPOSED TO THE PROCEDURE OF JUDGE CRADLEBAUGH

Concerning this whole procedure of summarily dismissing the grand jury, United States attorney for Utah, Mr. Wilson, in his report to President Buchanan, said:

"During the session of the grand jury and the sitting of the court I endeavored to investigate and prosecute all the cases which came to my knowledge, ordering subpoenas for witnesses whenever, either before the grand jury or the court, persons were mentioned by the witnesses as being likely to know anything about the cases under examination. But the session of the grand jury and the sitting of the court were too short to make a complete examination of all the cases. Had the grand jury been permitted to remain longer in session, and had the court remained in session until the business was finished, I might have been enabled to have brought the guilty parties, or some of them, to justice. But the opposition of the people to the military at the courthouse, in a quiet village, in a time of peace, rendered it impossible to get witnesses, the Mormon people saying that the really guilty parties were not so much wanted as a chance to get at the church authorities, and bring about a collision in the territory."⁴⁵

And concerning the Mountain Meadows Massacre, and the probable success attending upon a proper and legal method of handling it, the United States attorney said:

"In my judgment, the best and the only practical way of thoroughly and successfully investigating and trying this case, would be for a court to be held as near the scene of the massacre as possible; and for this purpose an ample fund should be provided, such as would be fully sufficient to enable the officers of the court to make a patient and thorough search for evidence, and for the arrest of the guilty parties, and to bear the expenses of witnesses, and all the necessary contingencies which might attend the court, during any length of time that might be re-

44. *Deseret News* of March 30th, 1859, p. 32.

45. *Senate Executive Documents*, 36th Congress, 1st Session, No. 32, p. 37. Mr. Wilson made his report to the president, instead of to the attorney-general, because he had been assailed before the chief executive by two associate justices, Sinclair and Cradlebaugh. (See document cited at the beginning of this note).

quired for a complete finishing of the case. That this horrible massacre, through such means and a patient investigation, can be brought to light, and the guilty parties punished, I have a faith as firm as in the eternal justice of providence."⁴⁶

After the dismissal of both the petit and the grand jury, Judge Cradlebaugh issued bench warrants from hearings had in his chambers against parties suspected of crime; and indeed while the grand jury was still in session witnesses who had been summoned before it were arrested on warrants issued by the judge in chambers, and this without the knowledge of the district attorney or the clerk of the court.⁴⁷

The judge also sat in chambers as a committing magistrate, examined and bound over for future trial, A. F. McDonald, Hamilton H. Kerns, John Daley, Alfred Nethercott, Abraham Durfee and Joseph Bartholomew, as the perpetrators of the Springville homicides. The judge admitted witnesses for the defense and arguments both for the prosecution and defense; and he himself gave an exhaustive review of the case. All the parties were committed without bail and given in charge of the territorial marshal; but later John Daley was admitted to bail in the sum of \$1,000, to appear as a witness on the trial of the other defendants.⁴⁸

THE SPRINGVILLE HOMICIDES AS "BLOOD ATONEMENT" CASES

Respecting these Springville homicides there has existed a persistent belief among anti-"Mormon" writers that they represented cases of "blood atonement," or "killings ordered by church authorities."⁴⁹ Such evidence as is cited in the case

46. *Ibid.*, p. 29.

47. These parties were A. F. McDonald and Hamilton H. Kerns, charged with complicity in the Springville homicides. They were arrested by Marshal P. K. Dotson just on the eve of going before the grand jury on this case, and are the parties referred to in the protest of the grand jury above, of whose evidence said jury was deprived because of their arrest. (See Court Record in *Deseret News*, 30th March, 1859, p. 19).

48. Report of the United States attorney for the territory of Utah, Alex. Wilson, Nov. 15th, 1859. *Senate Executive Documents*, 36th Congress, 1st Session, No. 32, p. 28. Also *Deseret News* of April the 6th, 1859.

49. See Linn's *Story of the Mormons*, pp. 448-50. "This particular case," says Stenhouse, "is probably the best illustration of how men are 'killed to save them.'" *Rocky Mountain Saints*, chapter xlv, where the case is treated at length, including the alleged confessions of some who were implicated in the assassinations or were accessories before the fact.

is purely circumstantial, or rests upon the testimony of very questionable characters, who themselves were implicated in the murders. On the other hand, the commonly accepted view of the "Mormon" community was doubtless voiced by the editor of the *Deseret News*—Judge Elias Smith, a man of strong intelligence and of most excellent character, who, when commenting on Judge Cradlebaugh's review of the case in chambers, said:

"We have carefully examined all the evidence furnished by a remarkably accurate stenographic reporter, and can only conclude that 'evidence before the court goes to show' that *Durfee, Potter* and two of the Parrishes got into a row about matters best, if not only, known to themselves, and for that Potter and two Parrishes were killed."⁵⁰

Having disposed of the Springville cases the court of the second judicial district adjourned, but not before Judge Cradlebaugh made a spiteful entry on the record which accused the whole community, as well men holding civil authority under the territorial government as the "Mormon" church leaders, of being in a conspiracy to obstruct the cause of public justice, and to cripple the earnest efforts of his court.⁵¹

50. *Deseret News* of April 6th, 1859.

51. His signed statement certified by Lucius N. Scovil, clerk of the court, will be found in *Deseret News* of April 6th, p. 40. By reference to the "civil authorities" he could only have reference to Governor Cumming and United States attorney for Utah, Mr. Alex. Wilson. The most charitable view to take of Judge Cradlebaugh and his course is to charge it, as Church Historian George A. Smith does, to insanity. "The judge has but one eye, and it occasionally manifests signs of insanity. In every address to the juries, he has made an attack on the religion of the Mormons; and it will be doubted whether his *Mormomania* is not the result of his hatred to the Mormon enthusiasm; it does not seem possible that a judge, entirely sane, would turn such desperadoes as 'Moze' and 'Looking Glass' loose [the two Indians charged with rape] to prey on the community, were not this the case. The effects of this military despotism has already reached the extreme that has caused hundreds in Utah county to leave their homes, and it is not at all probable that they will return while this reign of terror exists. By the governor's proclamation, we are given to understand that this whole matter has been brought to pass without his knowledge, and in violation of his instructions. Angry feelings exist in the breasts of many of the officers of the army, who burn for revenge upon the people for their detention in the mountains in the winter of 1857." (Letter to Stenhouse, copied in *History of Brigham Young, Ms.*, entries for March, 1859, pp. 297-8).

The theory of the Judge's *dementia*, receives support from the manner in which he acted on entering the territory. He called at the home of "Eph Hanks" in the mountains east of Salt Lake City on the 3rd of November. The previous night he had spent on Big Mountain, where he had frozen all his fingers. He was accompanied by a woman who claimed to be a "Mormon," and a man acting as his teamster. From the Hanks ranch the judge sent on his carriage and the woman to Salt Lake City, while he himself remained with Hanks who treated his fingers for frostbite. "The

The adjournment of the court and the retirement of its military attachment with the prisoners was quite spectacular, and is thus described in the *Deseret News* of that period:

"Immediately upon the adjournment of the court and simultaneous therewith, the troops under command of Captain Heth commenced their march from the seminary lot and stationed themselves in the main street. At this juncture sixteen platoons of infantry, averaging from twenty-five to thirty in each platoon, one company of cavalry and a detachment of artillery, with two brass pieces, entered the city by the north gateway, commanded by Major Paul. They proceeded down the main street, their martial band playing the tune that goes to the well known song, 'Doo Dah.' At a point about three blocks south of the seminary, they wheeled and commenced their return march, the band playing, 'The Girl I Left Behind Me.' When eight platoons of infantry had passed the courthouse, a halt was called, and Captain Heth's company, with the prisoners, were marched into the center of Major Paul's command, and the grand military denouement was consummated by the whole force taking up its line of march for Camp Floyd."⁵²

"After the close of the court at Provo," says John Jaques, assistant church historian, in a letter to Stenhouse, "the prisoners were escorted by the military to Camp Floyd, and there incarcerated in small cells. On approaching the camp, several hundred of soldiers, camp followers, gamblers, etc., met the prisoners and escort with a rush, and clamoured loudly against the prisoners, with cries of 'hang them,' 'lynch them,' etc. Captain Heth, commander of the escort, ordered the mob back and forced a way through. Money was very scarce and

judge has the appearance of being an ox driver," says Hanks in his narrative of the judge's visit to his ranch, "and was very roughly dressed." The following morning Judge Cradlebaugh started for town. "I started a short time after him," says Hanks, "and met General Burr [surveyor general for Utah territory] and his son in a carriage. They asked me if Judge Cradlebaugh had stopped with me over night? I told them he had, and that he had started for town on foot this morning. They said they had come to meet him, but had seen nothing of him. I told them he must have taken the other road. They went on and took the other road. I rode on and overtook the judge riding on a load of wood. I told him that the carriage he had just met contained General Burr and his son, who had come out to meet him. He replied, 'I do not want any of those airs, I have come here to do my duty.' As we got to the mouth of the canon we saw the carriage returning, he told the driver of the load of wood, to drive like fury and keep out of the way of that carriage. When we got to town, he jumped from off the wood and walked among the houses. I gave him an invitation to go home with me and take supper, which he accepted. I then took him to Marshal Dotson's." (*History of Brigham Young, Ms.*, November entries, 1858, pp. 1066-7).

52. *Deseret News* of April 6th, 1859, p. 36.

consequently the inspiring spirit of whiskey was not generally diffused or it is probable that the prisoners would have fallen a prey to the mob."⁵³ McDonald, one of the prisoners, politely doffed his hat and mockingly said to Captain Heth, "*that he supposed this was an introduction to civilization.*"⁵⁴

THE APPEAL TO WASHINGTON AUTHORITIES

Both parties to the controversies that had now arisen between the federal judges on the one hand, and Governor Cumming and United States Attorney Wilson on the other, promptly appealed to the proper departments of the federal administration, Judges Sinclair and Cradlebaugh in a conjoint letter from Camp Floyd to President Buchanan, under date of April 7th, detailing their views of the recent happenings in the territory;⁵⁵ United States Attorney Wilson, by letters under date of March 28th, and April 8th, to Attorney-General Jeremiah S. Black; and Governor Cumming in several communications to Hon. Lewis Cass, secretary of state, under dates of 25th, 27th, and 31st of March, with many inclosures, citizens' petitions, memorials, correspondence with General Johnston, Judge Cradlebaugh, and his own proclamation and protest. The conclusion of the whole matter was that the executive and the people of the territory were sustained all down the line in their contentions and petitions, as against the United States judges and the military.

VICTORY OF THE CAUSE OF THE PEOPLE OVER JUDICIAL TERRORISM

In his letter to Judges Cradlebaugh and Sinclair, Attorney-General Jeremiah S. Black, under date of May 17th, cuttingly said:

"The condition of things in Utah made it extremely desirable that the judges appointed for that territory should confine themselves strictly within their own official sphere. The government had a district attorney, who was charged with the duties of a public accuser, and a marshal, who

53. Jacques' letter is dated April 22nd. It is copied into *History of Brigham Young, Ms.*, entry 22nd of April, p. 370, see also p. 374.

54. *History of Brigham Young, Ms.*, entry of April 19, 1859, p. 361.

55. *Senate Executive Documents*, 36th Congress, 1st Session, No. 32, pp. 5-9.

was responsible for the arrest and safekeeping of criminals. For the judges, there was nothing left except to hear patiently, according to the evidence adduced on both sides. It did not seem either right or necessary to instruct you that these were to be the limits of your interference with the public affairs of the territory, for the executive never dictates to the judicial department. The president is responsible only for the appointment of proper men. You were selected from a very large number of other persons, who were willing to be employed on the same service, and the choice was grounded solely on your high character for learning, sound judgment, and integrity. It was natural, therefore, that the president should look upon the proceedings at Provo with a sincere desire to find you in all things blameless."

The attorney-general admitted that it might be true that public opinion in Utah would be opposed to the conviction of parties who deserved punishment, but even if that were true, "every inhabitant in Utah must still be proceeded against in the regular, legal, and constitutional way." Then came Judge Black's findings:

"On the whole, the president is very decidedly of opinion:

1. That the governor of the territory alone has power to issue a requisition upon the commanding general for the whole or a part of the army.

2. That there was no apparent occasion for the presence of the troops at Provo.

3. That if a rescue of the prisoners in custody had been attempted, it was the duty of the marshal, and not of the judges, to summon the force which might be necessary to prevent it.

4. That the troops ought not to have been sent to Provo without the concurrence of the governor, nor kept there against his remonstrance.

5. That the disregard of these principles, and rules of action has been, in many ways, extremely unfortunate."⁵⁶

To the United States attorney for the territory, the attorney-general on the same date wrote:

"On proper occasions, and in a proper and respectful manner, you must oppose every effort which any judge may make to usurp your functions. Do not allow your rights to remain unasserted. If the judges will confine themselves to the simple and plain duty imposed upon them by law of hearing and deciding the cases that are brought before them, I am sure that the business of the territory will get along very well. This must be impressed upon their minds, if possible; for if they will insist upon doing the duties of prosecuting attorney and marshal as well as

56. *Senate Executive Documents*, 36th Congress, 1st Session, No. 32, pp. 2 and 4.

their own, everything will be thrown into confusion and the peace of the territory may be destroyed at any moment. * * * Your conduct at Provo seems, from all accounts of it, to have been perfectly proper, and is fully approved by the president. Your refusal on a former occasion to violate the promise of pardon contained in the president's proclamation was equally praiseworthy and correct."⁵⁷

In answer to Governor Cumming's request that the discrepancy which existed between the instructions given to the civil and military departments in Utah might be removed "by some further action on the part of government;" and that all requisitions for troops be made by or through the governor of the territory, in order to avoid the confusion which will always arise from the pursuance of a different policy, the secretary of state under date of May 2d, answered:

"I am instructed to inform you that orders have been issued from the war department which will remove any such discrepancy between the civil and military departments of the government as that to which you refer; * * * and it is earnestly hoped that the harmony will not again be interrupted."⁵⁸

To General Johnston, the secretary of war, John B. Floyd, under date of May 6th, wrote:

"Peace being now restored to the territory, the judicial administration of the laws will require no help from the army under your command. If the services of the United States troops should be needed, under any circumstances, it could only be to assist the executive authority in executing the sentence of law or the judicial decrees of the court. And that necessity could only arise when the services of a civil *posse* were found to be insufficient. You will therefore only order the troops under your command to assist as a *posse comitatus* in the execution of the laws upon the written application of the governor of the territory, and not otherwise."⁵⁹

These several instructions and orders from the federal administration, put a stop to the wild judicial career of the federal judges of the period, one of whom, Judge Cradlebaugh, with a strong, and somewhat heterogeneous military

57. *Ibid*, pp. 9, 10.

58. *House Executive Documents*, 36th Congress, 1st Session, No. 78, p. 24.

59. *House Executive Documents*, 36th Congress, 1st Session, No. 78, p. 31.

detachment⁶⁰ was fast creating a reign of terror in the south part of the territory. But when the officer commanding the detachment of troops accompanying the judge received orders from General Johnston to return to Camp Floyd, since hereafter the troops were to be used in connection with the civil affairs of the territory only in the "execution of the sentences of the law, or the judicial decrees of the court, *and then only on the written application of the governor*," the zeal of the judge was cooled; he returned with the troops to Camp Floyd, and soon afterwards, as explained elsewhere,⁶¹ he brought his judicial career in Utah to a close.

Another event in "Mormon" community life proper to mention here, and with which Colonel Kane's name is at least distantly associated, was the election of Captain William H. Hooper in the fall of 1859, to succeed, as Utah's delegate to congress, Dr. John M. Bernhisel, who had served from the organization of the territory until succeeded by Captain Hooper. It was doubtless as much the desire of the doctor to be relieved from a difficult post as it was for his constituents to seek a new representative, that led to the change, since the doctor's services, though rendered in a quiet, unobtrusive way were nevertheless satisfactory, and doubtless quite as effective as a more aggressive course would have been.⁶²

President Young, however, in 1854, had written to Colonel Thomas L. Kane "offering him the appointment of delegate from Utah territory," and invited him, meanwhile, to aid Dr. Bernhisel. At the same time the president also wrote Bernhisel of his tender to Colonel Kane of the post of delegate, and advised him to counsel with the colonel.⁶³ Noth-

60. The command comprised "two companies of infantry, one hundred dragoons, and one hundred discharged teamsters, amounting to three hundred men." Affidavit of Jacob Hamblin before Judge Elias Smith, 3rd June, 1859. Not satisfied with this military force Judge Cradlebaugh in his encampment on the Santa Clara, sought to employ through Hamblin, the Indian interpreter, a force of Indians to capture John D. Lee. (See Hamblin's affidavit, in *History of Brigham Young, Ms.*, entry for June, 1859, pp. 471-2).

61. See *ante* chapter ci this *History*.

62. See *Deseret News* of 6th of July, 1859.

63. See *History of Brigham Young, Ms.*, 1854, p. 97; also *Letter Folio*, 722, 734.

ing came of the proposal, as doubtless Colonel Kane was not willing to have the purely disinterested service he had hitherto rendered the Latter-day Saints marred by the acceptance of a position that would have the appearance of a political reward; and certainly his holding no official position—rendered him all the more serviceable in the “Utah War” issue, and after that in supporting the policy and retaining in office, Governor Cumming.

Horace S. Eldredge had been first nominated for the position of delegate, but owing to his absence from the territory at the time of his nomination, and the likelihood of his not returning before the day of election becoming apparent, his name was withdrawn, and Captain Hooper was placed in nomination and elected by nearly a unanimous vote.⁶⁴

The *Baltimore Republican*, commenting on Mr. Hooper’s election, gave the following biographical and character sketch of him, after his arrival at the capital from Utah.

“By what would seem to be a singular coincidence, three of the present delegates in congress from the territories are native-born Marylanders. Among them we recognize a native of this state, in Hon. William H. Hooper, representing the territory of Utah, as the successor of Dr. Bernhisel. * * * Mr. Hooper is a man of superior intelligence and energy and activity, fine manners and address, and who in his frank and open intercourse will do much—whatever may be the faults of his people—to remove those prejudices which—whether rational or not—have hitherto prevailed against the Mormon people.

There is something singularly interesting in the history of this gentleman and his connection with that peculiar people whom he now represents in the councils of the nation. He was born in Dorchester county, on the eastern shore of our state [Maryland] at the old home of his family called Warwick Manor, and is a son of Henry Hooper, and a grandson of James Price. Residing for a few years in this city, employed in a mercantile house, at the age of 21 he removed in 1835 to Galena, Illinois, and engaging largely in commercial business, and soon accumulated a fortune. In the crash of 1837, by the collapse of one of the banks in the state, his house, then one of the largest in the west, became involved, winding up by the ultimate payment, however, of every dollar of liabilities. He then turned his attention to steamboating from St. Louis on the Mississippi, [in the capacity of a captain on the steamers he navigated—hence the title which clung to him through life], and

64. See *Deseret News* of July 6th, 1860; and July 27th, 1859.

soon acquired again a liberal fortune, which was swept from him by the great fire in that city in 1850. Added to this misfortune soon came a bereavement in the death of his wife, and following this a total prostration of his own health. He was pronounced beyond hope of recovery by his physicians, and advised as a last resort to cross the plains to California, to a milder climate. Broken down and dejected, he reached Salt Lake City, unable to move farther. In this condition he was kindly ministered to by the gentle care of the people of Salt Lake, and in time was restored to health. He then resolved to remain among those who had thus established a claim upon his gratitude; entered anew into mercantile business; acquired a liberal fortune, and married a lady who is his present companion. By nearly a unanimous vote he was last year chosen as representative of the territory in congress, and by his gentlemanly bearing, unexceptionable character, and superior intelligence has already established himself in the confidence and respect of the people at the seat of government."⁶⁵

65. *Baltimore Republican*, copied into *Deseret News* of 8th Feb., 1859.

CHAPTER CXVIII

CAMP FLOYD INCIDENTS—GOVERNOR CUMMING'S DEFENSE OF THE PEOPLE OF UTAH

TWO incidents happened in the troublesome fall of 1859 that threatened for a time to bring on a conflict between the citizens of Utah and the army at Camp Floyd. One of these is known in Utah annals as the Spencer-Pike affair; the other was a plot to arrest Brigham Young in connection with a case of alleged counterfeiting of government drafts.

SPENCER-PIKE KILLING AFFAIR

Briefly stated the Spencer affair was as follows: General Johnston had taken possession of Rush valley as a government reserve for pasture and hay supply for government stock. Near the line of the reserve in the north part of Rush valley a stock company—Spencer-Little & Co.—owned a ranch; and on the 22nd of March young Howard Spencer, son of Orson Spencer, with one or two other men in the employ of the aforesaid company, was at the ranch to make the spring round up of the stock. Here they met a company of soldiers, and a dispute arose about the right of Spencer and his companions to stay at the ranchhouse over night. Spencer declared his intention to remain at the house, since he was one of the owners of it. In the dispute the young officer in charge of the troops struck Spencer on the side of the head with his gun barrel, fracturing the skull. Conflicting statements confuse the facts in the case. On the part of the officer it is said that he was seeking to remove Spencer from a government reserve, and that the latter assailed the officer with a pitchfork; on the other side it is insisted that the pitchfork was used by Spencer only in an attempt to ward off the blow which so nearly resulted in his death.

A surgeon from Camp Floyd skillfully adjusted the frac-

ture and Spencer during the summer slowly recovered. Sergeant Ralph Pike of Company I, 10th Infantry, who committed the assault, was indicted by the grand jury for "assault with intent to kill;" and in August came to Salt Lake City for trial in the district court then in session. While walking down Main street with three companions from Camp Floyd—fellow officers—and when there was a large number of men on the street, including the soldiers of the guard that came from Camp Floyd with Pike, Howard Spencer approached the sergeant, and asked if his name was Pike. Being answered in the affirmative, Spencer drew his pistol, shot him down, and walked away before the officer friends of Pike or the crowd sufficiently recovered from their amazement to attempt the arrest of the assailant; and though about forty went in pursuit of Spencer he made good his escape. Pike's wound was mortal, and three or four days later he died.¹

The killing was a most unhappy circumstance, an unjustifiable crime; but reviewed in the spirit which unfortunately prevailed in the west at that time, and accepting the view, as very many did, that Pike's attack upon Spencer in March was unprovoked, it is not matter of surprise that there were those in the community who justified the deed and even lauded the cool bravery of a mere lad who avenged the wrong that had been so dastardly committed upon him over so small a matter.

"We do not approve of the act," said the *Deseret News*, editorially. "In our opinion it is far better at all times, under ordinary circumstances, to let the law take its course, than for the injured to avenge their own wrongs by whomsoever committed."²

1. *Deseret News* of March 30th; also *Ibid*, Aug. 17th, 1859.

2. *Deseret News*, Editorial of Aug. 17th, 1859. There was much division of feeling in relation to the incident. General Johnston, no doubt, taking Sergeant Pike's representation of the matter, wrote Governor Cumming that Spencer had "resisted an officer in the discharge of his duty with a pitchfork, and the officer broke his head in self-defense." The general denied having given Spencer permission to occupy the premises at the Spencer ranch, "although Spencer," says the chronicle here followed, "holds Johnston's letter giving that permission." (*History of Brigham Young, Ms.*, entry for March 30th, 1859, pp. 293-4).

Very naturally the killing of Sergeant Pike created great excitement at Camp Floyd. On the night following Pike's death a party of about a score of soldiers left Camp Floyd and went to the "Mormon" settlement of Cedar Fort, six miles north of the camp, and set on fire a stack of hay, and when several citizens undertook to put it out they were fired upon by the soldiers, who then "shot up the town" indiscriminately. In all about sixty shots were fired, the haystack with stock sheds and corrals adjacent were burned to the ground but fortunately no one was hurt. The next day, when this matter was reported to General Johnston, by a committee of citizens, he replied that he would send a guard to protect Cedar Fort, but declared "that he could not control the soldiers while Spencer was at large."³ Nothing further came of the matter. The most unfortunate thing about the whole incident is that such a case of homicide for personal vengeance has to be recorded as happening in the streets of Salt Lake City.

THE GOVERNMENT DRAFT "COUNTERFEITING" INCIDENT

The facts in the counterfeiting case referred to in the opening paragraph of this chapter, in which it was sought to involve President Young, are as follows: a party of men in Camp Floyd, prominent among whom were M. Brewer, and J. M. Wallace, conspired to counterfeit United States quartermaster orders on St. Louis and New York. In pursuance of this purpose they employed a young "Mormon" engraver of Salt Lake City to duplicate the quartermaster's plate at Camp Floyd. This was skilfully accomplished and the counterfeit bills printed upon it. The forgery was soon discovered and the principal in the crime, Brewer, was arrested at Camp Floyd. He promptly turned state's evidence by confessing

3. The above was reported to President Young by letter from Bishop Weeks of Cedar Fort, (see *History of Brigham Young, Ms.*, entry for 16th Aug., 1859, pp. 633-4). "The officers [of Camp Floyd] assert that they could hardly prevent their men from rising and personally revenging the foul murder of a comrade." (Captain Burton's *City of the Saints*, p. 341. In a note he gives the account of the assault upon Cedar Fort where he states that the damage finally claimed from congress for destruction of property amounted to \$10,000).

and threw responsibility for the crime upon the young "Mormon" engraver; and implicated a person in Brigham Young's office for having furnished the paper for the counterfeit notes. The engraver's tools and engraving paraphernalia were all seized by Mr. Dotson, the United States marshal, and the young engraver was arrested. Afterwards, when visiting the engraver's regular workshop, where he had done work for Brigham Young on the "Deseret currency plates," these plates were also seized by Mr. Dotson and carried to Camp Floyd.

The confession and allegation of Brewer seemed to bring this crime so close to the premises at least of President Young that it was hoped at Camp Floyd that he could be implicated in it. One officer when he heard Brewer's confession, jumped up and down like one bereft of his senses, saying "By G— —! we will make this stick on Brigham Young this time."⁴

In pursuance of this purpose to make the crime "stick" on Brigham Young, a plan for his arrest was arranged, to which it was hoped Governor Cumming would give his assent. It was to be another case where Herod and Pilate—Alias Governor Cumming, of the one party, and the army and the United States judiciary of the other—would be made friends by the sacrifice of the innocent. The plan was to issue a writ for the arrest of Brigham Young as well as the young "Mormon" engraver, and apprehending that there would be resistance to the arrest of the former, the army was to be ordered into Salt Lake City; Johnston's artillery was to make a breach in the wall surrounding the ex-governor's premises, then the troops would sally forth, seize Brigham Young by force and hurry him to Camp Floyd. And this plan was gravely set forth in detail to Governor Cumming. Several days before, engineers of the army had been seen suspiciously moving about the heights overlooking the residence of President Young. They were selecting strategic points on which to plant their

4. The officer was Colonel Crossman, see letter of Wilford Woodruff to George A. Smith, date of July 12th, 1859, copied in *History of Brigham Young, Ms.*, p. 581.

cannon.⁵ "I listened to them, sir," said Governor Cumming, when relating the circumstance to Stenhouse—

INTERPOSITION OF GOVERNOR CUMMING AGAINST THE
CAMP FLOYD PLOT

"I listened to them, sir, as gravely as I could, and examined their papers. They rubbed their hands and were jubilant; they 'had got the dead wood on Brigham Young.' I was indignant, sir, and told them, 'By G—d, gentlemen, you can't do it! When you have a right to take Brigham Young, gentlemen, you shall have him without creeping through walls. You shall enter by his door with heads erect as becomes representatives of your government. But till that time, gentlemen, you can't touch Brigham Young while I live, by G—d!'"⁶

The coterie of plotters for the apprehension of Brigham Young on this, so groundless a charge, returned to Camp Floyd crestfallen; and in the bitterness of their disappointment there were mutterings that the army would act without the cooperation of the territorial executive. It must be remembered that this incident happened at a time when General Johnston was interpreting his instructions in such a manner that would lead him to use the army on the requisition of the judiciary as well as upon the requisition of the executive; and his judgment as yet, on that point, had not been corrected by the national administration. So that the danger of his ordering out the army to make the threatened arrest was a real one. Word indeed was brought from Camp Floyd on the night of 17th of April by an express rider from Camp Floyd that two regiments would be ordered that night on a forced march to Salt Lake City to make arrests. Whereupon Governor Cumming, it is said, gave orders to General D. H. Wells of the Utah militia, to be ready with a force to repulse the federal troops. And this General Wells so promptly responded to that "*by two o'clock on Monday morning,*

5. See Note end of chapter where this statement is made by General Wells to Governor Cumming.

6. "Such was the story told by Governor Cumming to the author a few years later," writes Stenhouse, "and as he related it all the fire of his nature was depicted on his countenance, and told unmistakably that he would have made good every word with his life." (*Rocky Mountain Saints*, p. 411).

five thousand men were under arms." Will it be said that the community had lived in a state of preparedness to meet such an emergency? Undoubtedly; and they would have been either dullards or cowards, or both, had it been otherwise under the circumstances—with the likelihood of an assault upon their liberties always imminent.

A group of men were stationed at the point of a mountain thirty miles south of Salt Lake which overlooked the Jordan ford and the road leading over the low hills to Camp Floyd. They were to keep watch day and night for the movement of any detachment of troops towards Salt Lake City. If the movement was made in the daytime, a signal smoke from the point of the mountain, was to announce the fact; if at night, a bonfire from the same point of the mountain would

7. See statement of Utah correspondent—undoubtedly a "Mormon"—to the *New York Herald*, under date of 23rd April, 1859: "An express from Camp Floyd arrived here on Sunday night with the intelligence that two regiments were coming to the city to make arrests, and it was expected that they would have orders for forced marches, to come in upon us unawares. Immediately on Governor Cumming being made acquainted with the report and circumstances, which leave no room to doubt of the plans of the judges, he notified General D. H. Wells to hold the militia in readiness to act on orders. *By two o'clock on Monday morning five thousand men were under arms.* Had the United States' troops attempted to enter the city, the struggle must have commenced, for the governor is determined to carry out his instructions. What has deferred their arrival here we know not; but now that this plan is known, a watchful eye is kept on the camp, and the shedding of blood seems inevitable. We have confidence in the overruling care of our heavenly Father; and whatever does take place, will eventually turn out for good. Major ——— told me yesterday that General Johnston was resolved to carry out his orders, and he affirms that they are to use the military on the requisition of the judges, and not on the requisition of the governor only. I have just learned that 500 soldiers were on the march to San Pete settlements to arrest persons there whom the judges are seeking after. The judicial-military-inquisitorial farce played at Provo satisfies everybody that it is not violated justice that seeks satiety in blood. There is not an official in any settlement outside this city but what expects to be handled as were those at Provo; and the only safety they have from judicial vengeance—not personal, but vengeance against the community—is in flight to the mountains. In the south, where the weather has been excellent for early agricultural operations this spring, the fields have been left uncultivated, and the seed that should be fructifying in the soil is still lying in the barn, the end of which must be famine; for unless the governor has power to restrain the judges from calling the military to act as a *posse comitatus*, no man of any influence will trust himself at home. We fear no judge of the United States. * * * Governor Cumming has no disposition, nor has this community any, to screen any man or men from the punishment due for any crime or misdemeanor they may be accused of; but he will not suffer military terrorism to reign in the territory over which he is governor, and we are to a man ready to sustain him. We appeal to the American nation, and ask any man whose soul is not absorbed with the acquisition of perishable pelf only, what can we do more than we have done to preserve peace? And what course is open to us but to defend our rights as citizens of the Union?" (*The New York Herald* of May 25th, 1859).

announce it. A group of watchers stationed on Ensign Peak was to respond to these signals and give the alarm to the city, where companies of militia were within easy call.

It was a brave stand that Governor Cumming took in this issue, but in it he was loyally sustained by the Latter-day Saint community, who asked only for the establishment of the regular order of things as promised in the settlement of their difficulties with the federal administration through the mediation of Colonel Kane, the Peace Commissioners, Powell and McCulloch, and as assured by President Buchanan in his proclamation of pardon, and reaffirmed in the proclamation of Governor Cumming. Happily the instructions came soon afterwards from Washington which corrected the error of General Johnston and the judges respecting the employment of the army in the civil affairs of the territory,⁸ and peace once more was restored to the community life of the Latter-day Saints.

The young "Mormon" engraver of the counterfeit plates of the foregoing incident was put on trial, found guilty, and sentenced to prison for two years. His was but a subordinate factor in the crime; and it may be of passing interest to the reader to know that he fought his way out of the shadows of this unhappy incident of his early career, and lived a long and useful life, trusted in positions of great responsibility, a general favorite in a large social circle, honored in public

8. Governor Cumming did not announce his final attitude with reference to the army, pending the arrival of the decision of the federal administration on the points raised, without some vigorous urging by the church leaders in proof of which I give in large part, as a *Note* at the end of this chapter, a notable interview between Brigham Young *et al* with Governor Cumming. It has not before been published, and is important as showing the brave and patriotic spirit in which these heroic men, the church leaders, fought back those who were bent upon the invasion of their liberties and rights as American citizens. (See *Note* end of chapter). "This pompous parading of soldiers around the territory, recalls one's mind to youthful visions and dreams of theatrical representations of royal cavalcades, fairy tales, and the processional manners and customs of oriental princes; and appears more in harmony with such scenes, than with the sober *ravellings* of an American judiciary in the latter half of the nineteenth century." (Letter of John Jaques, assistant church historian to Stenhouse, date of April 22nd, 1849, copied into *History of Brigham Young, Ms.*, of above date, pp. 370-1).

life, and respected in the community as an honorable man and a sincere and active Christian gentleman.

Marshal Dotson in taking forceful possession of the "currency" plates belonging to Brigham Young exceeded his duties as an officer; while in his charge they were marred to the point of ruining them. In this condition the marshal sought to return them to their owner, but President Young refused to receive them, and brought suit against Marshal Dotson for the illegal seizure and injury of the currency plates. After a long and tedious trial President Young obtained judgment of damages to the extent of \$2,600, for which property in Salt Lake City was sold to satisfy. It was this circumstance which finally led to Marshal Dotson's resignation and removal from Utah.⁹

RETURN AND ACTIVITY OF JUDGE ECKLES

Sometime after the foregoing events Judge Eckles sought to revive the controversy between the administration at Washington and the people of Utah. The judge had returned from his "vacation" in the east in mid-June, and opened his court two months later in the southern district, at Nephi. After a session which ran to the 4th of September, the court adjourned to sit at Camp Floyd for three days, beginning on the 13th of September, for the purpose of naturalizing citizens, after which the court would adjourn *sine die*.¹⁰ After this adjournment the judge addressed a long communication to the secretary of state, Lewis Cass, in which he reiterated practically all the old charges against the Latter-day Saints of Utah. The state department sent the essential parts of

9. Peter K. Dotson was a native of Virginia, who came to Utah in 1851, where he became an express and mail agent. In 1855 he was appointed United States marshal for Utah, and in 1857 proceeded to Washington, returning with the army that same year. (See Bancroft's *History of Utah*, p. 573 and note, where he quotes *Dotson's Doings, Ms.*, for above facts of the marshal's life). Dotson sent in his resignation on the 1st of August, taking occasion to tell the administration that its policy towards Utah would be fatal to federal supremacy in the territory; "and can only tend to build up, consolidate, and perpetuate the political and ecclesiastical power of Brigham Young and his successor." (The resignation is published in full in *Deseret News* of Nov. 9th, 1859, p. 285).

10. *Deseret News*, of Sept. 14, 1859.

Judge Eckles' communication to Governor Cumming,¹¹ with instructions from the president to furnish the state department at the earliest practical moment "with an official report upon the present condition of the territory, stating the causes, if any, which operate to retard the due administration of the laws, and to prevent the maintenance of peace and order;" by what means, in his judgment, "those causes can be most promptly and advantageously removed; to what extent any troubles that may now exist have been produced by a failure of the territorial legislature to provide suitable measures for their prevention, and how far they are owing to an unwillingness on the part of the people of the territory to aid in the execution of the laws."¹² This discloses some of the specifications in Judge Eckles' communication. Governor Cumming was also requested to embody in his report the most reliable statistical information in his possession upon the following points: the present number of inhabitants in Utah and the proportion of "Mormons" against them; the number of persons arriving in the territory and departing from it; the capacity of its available lands to sustain the present or a larger population.¹³

GOVERNOR CUMMING'S BRAVE DEFENSE OF THE PEOPLE OF UTAH

The reply to these inquiries afforded Governor Cumming an opportunity to vindicate both his own administration and the character of the Latter-day Saints of Utah from the base fulminations of Judge Eckles, and of the false charges made in the address formulated at Camp Floyd in July. Referring to the general character of the people of Utah, the governor said:

"Persons unbiased by prejudice who have visited this territory will, I think, agree in the opinion that a community is seldom seen more

11. *House Executive Documents*, 36th Congress, 1st Session, No. 78, pp. 33-40.

12. *Ibid.* Letter of Secretary Cass to Governor Cumming, date of Dec. 3, 1859.

13. Judge Eckles had said in his communication to Secretary Cass: "I have long been satisfied that the population of the territory already exceeds its capacity to produce the necessary support of the people. * * * The lands under cultivation are already on the decline, and very little is capable of being added to its quantity"—hence the above question in relation to the land capacity for sustaining population.

marked by quiet and peaceable diligence than that of the Mormons.

After the passage of the army, hundreds of adventurers were attracted to these valleys, and met here some congenial spirits. Banded together for rapine and acts of violence, they have stolen large herds of horses and mules. Many of these men, maddened by intemperance, or rendered desperate by losses at the gaming table, or by various other causes, have shed each other's blood in frequent conflicts, and secret assassinations. These lawless and bloody deeds are committed by them almost daily with impunity, and when their atrocity and frequency shock the public mind, it has become the custom with a certain set of people to exclaim against the people of Utah; but it is an injustice to impute the acts of these desperadoes to the community in general. With an equal show of justice might they be attributed to the inhabitants of the states and territories whence these men have so recently emigrated."

Relative to the "causes which operate to retard the due administration of the law, and to prevent the maintenance of peace and order in the territory," the governor said they consisted in—

"First. The infrequency of and distance between the sessions of the United States courts. These sessions, by law, are held annually. The maintenance of prisoners and witnesses during the interval between the sessions, which interval is often longer than the time indicated by law, must, under existing circumstances, subject the territory to a very great expense.

Second. The United States marshal has declined making arrests of offenders against territorial laws, because, as he asserts, the legislature have not made such provisions for the payment of necessary expenses of arrest and maintenance of prisoners as are by him deemed necessary, and he has had no assurances that the United States will defray such expenses.

In answer to the above assertion of the marshal, I would here refer to a pamphlet, which I send, entitled 'Acts and Resolutions of the Legislative Assembly of Utah for 1858 and 1859.' For jury fees, see page 8, chapter 3, section 18. For general fee bill of Utah territory, see page 11, chapter 9, section 1. For contingent fund for the use of territorial marshal or sheriff, see page 13, chapter 9, section 3.

In all cases of appeal costs must be paid or secured by the appellant, —(See 'Revised Laws of Utah,' a copy of which I send, page 136, chapter 3, section 25.)

Witnesses' fees in criminal cases are paid by the county court; in civil cases, by the parties.—(See 'Revised Laws.')

The fees in this territory, as will be perceived, are not sufficiently large to encourage litigation, and there is an evident dislike on the part of the community to resort to courts, preferring arbitration to appeals to juries.

Third. Continued immunity from punishment has so emboldened

certain bands of lawless and desperate men that they have been enabled to hold in a state of intimidation both civil officers and witnesses.

Fourth. The refusal of the judges of the United States courts to recognize the authority of the territorial marshal in the United States district courts. The authority of this marshal is conferred on him in accordance with section 3, chapter 7, page 140, of 'Revised Laws of Utah.'

Fifth. The refusal of the judges of the United States district courts to recognize the authority of the probate courts in their respective counties 'to exercise original jurisdiction, both civil and criminal, in chancery as well as at common law.' The probate courts base their claim to exercise this jurisdiction upon the act contained in page 124, chapter 1, section 29, of 'Revised Laws of Utah.'

The inhabitants of the territory of Utah urge, in defense of the claim of the probate court to the exercise of the powers above recited, the following passage: "The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts and of justices of the peace, shall be as limited by law."—(See 'Statutes at Large,' Vol. 9, page 455, chapter 51, section 9, Organic Act, entitled, 'An Act to Establish a Territorial Government for Utah,' approved 1850.)

Sixth. Another and perhaps one of the strongest reasons which prevents the administration of law in Utah is a conviction generally held by the people of this territory that the minds of the United States judges are so blinded by prejudice against them that Mormons can hardly expect a fair and impartial decision in any case where they are concerned. Many even believe that there is a strong desire on the part of the United States judges to convict a prisoner of crime if that prisoner be a Mormon, and especially if he should happen to be a person of importance in the community.

They give several plausible reasons for holding this opinion. Among several, I will mention these:

1st. The unnecessary assemblage of a military force at Provo during the session of the United States court at that place in March, 1859, and the imprisonment of citizens in military guard-tents at that and other times.

2d. The residence of the chief justice at the headquarters of the army, evidencing, they maintain, both dislike and distrust of the people towards whom it is the duty of a judge to maintain an impartial and unbiased attitude.

3d. The frequent expressions of opinions by several of the United States judges, that the entire community have forfeited their right to self-government, and that martial law is not only desirable but necessary.

The community also complains of vexatious adjournments of court during term time; of the precipitate discharge of grand jurors, that the judges may sit as committing magistrates instead of pursuing the ordinary course of business."

Judge Eckles had alleged in his communication to Secretary Cass, that on his approach to Nephi, in Juab county,

where he was to hold court, that more "than two-thirds of the male population fled from it, including all the officers, civil and ecclesiastical, as they did from Judge Cradlebaugh at Provo last spring, although there were no 'soldiers' with me for a pretext. Some alleged that they did so for fear of being summoned on juries, and others that they feared being apprehended for crime. Which version of the matter is true, it is not now my purpose to decide. It is the fact I state; and their flight caused me to have to send the deputy marshal to Cedar county [city, Iron county] for talesmen before I could complete my juries, and by it I lost a day of the term."

To this allegation the governor replied:

"Now it has been publicly asserted, without contradiction that I know of, in the '*Deseret News*, September 7, 1859,' that the judge, in addition to the marshal and bailiffs, was accompanied by fifteen grand jurors and ten petit jurors, all from Cedar county. In Cedar county is Camp Floyd and Frog Town, which adjoins the camp. At Camp Floyd Judge Eckles resides; at Frog Town is a large proportion of the itinerant population, dependent on the army for support. But the judge could, doubtless, explain this circumstance quite as well as the sending for talesmen to the same county, when he was in the immediate vicinity of Utah county, one of the most populous, whilst Cedar county is the least so of any organized in the territory, after deducting the army, its employees, and dependents. But, unexplained, it does seem remarkable."¹⁴

Relative to the population of the territory Governor Cumming estimated it at from 50,000 to 53,000; "of which number at least 50,000 are Mormons." This, of course, did not include the army at Camp Floyd. The bulk of the non-"Mormon" population resided on the extreme west side of the territory, afterwards Nevada. The governor admitted that the "Mormon" estimation of the population was much larger than his own. He had no *data* on which to form an estimate of persons who annually arrived or departed from the territory; but he inclosed a statement from John T. Caine, who at the time, Feb. 1st, 1860, was secretary of the Per-

14. *House Executive Documents*, 36th Congress, 1st Session, No. 78, pp. 41-46.

petual Emigration Fund Society, relative to the number of persons emigrated by that society—furnished at the governor's request—from the time of its inauguration up to and including 1859.

"In the year 1850 there were emigrated by the Perpetual Emigration Fund Company, 432 persons; in the year 1852, 298 persons; in the year 1853, 400 persons; in the year 1856, 1,273 persons; in the year 1857, 1 person; in the year 1858, (owing to Utah difficulties), none; and in the year 1859, 54 persons; making a total of 4,769 persons, at a cost of about three hundred thousand dollars. Your excellency will please notice that this forms but a small portion of the yearly 'Mormon immigration,' no record of which, so far as I am acquainted, has ever been [kept], nor could there be, [kept such record], as persons emigrating on their own means have come and gone at pleasure."¹⁵

The governor's report is a clear vindication of the Latter-day Saint community up to that time of many false charges made against them.

NOTE

INTERVIEW BETWEEN ALFRED CUMMING, GOVERNOR OF UTAH,
PRESIDENT BRIGHAM YOUNG, AND GENERAL DANIEL H. WELLS,
APRIL 24TH, 1859

"At fifteen minutes past 10 a. m. President Young, Daniel H. Wells and George A. Smith walked down North Temple street to the mansion formerly owned by A. W. Babbit and called on Governor Cumming.

His excellency received them very courteously and soon he began to make inquiries in relation to the progress of events and the probability that the army would come to Salt Lake City and said he had understood some time since that that was their intention, but he was in hopes they had given it up.

President Young told Governor Cumming that if he was governor he would not allow that army to interfere with civil affairs, he would require them to attend to their legitimate duties instead of interfering with the civil.

The governor [Cumming] inquired if they had any late news of their movements.

General Wells said that some 'gentlemen in stripes' had been examining the points above President Young's house, apparently looking out positions for artillery encampments.

Governor Cumming said he had understood that some civil engineers were making observations to obtain the longitude of the city.

15. *Ibid*, p. 46.

General Wells replied that if that was their business they seemed very much interested in the high grounds that commanded President Young's mansion and the city and the paths and roads that led to them. President Young said that when Kerns and McDonald were taken into Camp Floyd there was a general hue and cry to hang them, and he had no doubt that if he had been there he would not have lasted five minutes, and he did not believe they wanted anything of him only to lynch him. He requested the governor, provided the army came here, to protect his buildings and family; 'for,' said he, 'I shall not be there;' but if there is a shot fired into my house I'll prove not to be far away. * * *

Governor Cumming said that he did not feel free to act and firmly require the army to remain where it was for fear it would be taken as a challenge, and in a defiant spirit they would rush over it. General Wells asked the governor by what law prisoners for civil offenses were detained in military custody by the army. The governor replied, 'violence.'

President Young said, [addressing Cumming] 'You have acquired an honorable name by your firm course in administering in your executive capacity among this people; but, if you suffer that army to head down the civil power and walk over you, it will be the cause of your losing your influence; and governor, you will yet learn that the Lord gives nations, communities and individuals character and influence and takes them away at his pleasure. That army will obey you if you step forward and require them to keep still, which is what the law requires of you as chief executive of this territory; even if you were to exceed your powers in preserving peace you would be sustained in it; but I do not want you to do a thing only what the law and your instructions will sustain you in, and clearly authorize you to carry out; and nothing more is necessary at the present time.'

The governor read his report to the [federal] state department in which he testified of the good order and peaceful disposition of the people and of the unnecessary use of the military at Provo, and that the use of the military in his opinion was more from hatred to 'Mormons' than the love of justice, and if continued would result in much bloodshed.

President Young told him that the course pursued was driving hundreds of men into the mountains and was laying a foundation for a famine; that we raised next to nothing last year and that thousands of acres would lie idle because of the interference of the military with the people in seed time. But I do not know but it is the design to prevent the people from raising grain, so as to favor contractors in freighting it here for the use of the army. Governor Cumming said he should have thought the contract of transportation of Messrs. Russell, Waddell and Company could have opened the eyes of congress as the contract had been awarded them until 1861. * * *

President Young told him [Cumming] that this was the best government in the world, but at the present time was the worst government. It was perfectly astonishing, surprising, and heartrending to see almost every man in office swindle the nation for his own pe-

cuniary interest, and referred to the remarks of — —, of Georgia, and Hales, of New Hampshire, in the senate, in which they declared that at the present time the government was the most corrupt in existence.

Governor Cumming said such has been the natural tendency of all forms of government.

The president told Governor Cumming that if we had burned our houses as we had designed last spring, we would have been saved this annoyance; but the firm course that he [Cumming] pursued, and his assurance that civil law should have its course without military interference, had inspired confidence; but if he [Young] could not live in peace he would burn all the property that he had and give them the territory as barren and desolate as we found it. 'We have no intention of going to any other country; for if we cannot live in peace here we cannot live anywhere else in peace. If there was any other place that was worse than this we might go there, but there is none in the world, that I know of, and here in these mountains I intend to stay as long as I please.

We kept the army out until you and the Peace Commissioners induced us to consent for them to come in. We could have cut them in pieces if we had chosen, and all that they could have sent; but we desired peace above all things else; but if we cannot have peace, we can at least preserve ourselves in these mountains until we waste away those that oppress us. * * * I care nothing about property. I am perfectly willing to go before any court of justice or any other civil tribunal and have every act of my life scanned, and all the men in the world [be] examined as witnesses, as to whether I committed any crime or sanctioned any criminal act. I will not be nosed about by the military, and I will not go into their camp alive. It is in your power to put a stop to this difficulty and if you do not do it, an action of the people will have to do it. My faith and determination are that we will avoid a collision, at any rate we will do it if possible.'

Governor Cumming said, *'I presume General Wells, you have arrangements so made that if any army starts from Camp Floyd, that you will soon know of it.'*

The general replied: 'I presume I should learn about it in a short time.' Governor Cumming said: 'In case such a thing takes place I wish you would let me know.' General Wells replied, 'I will do so, and make you acquainted with our movements immediately.' * * *

Governor Cumming said he did not know what to do or to advise under the circumstances. Said there was a difference of construction upon their instructions. The judiciary are a coordinate branch of the government, their calling on the military seemed a very difficult matter for him to interfere with. He had no doubt but that in a few weeks he should get from Washington the instructions that he wished; but if Judge Sinclair should force the issue before that time he should not know what to advise.

President Young told him, that it was in his power with instructions he had to hold the army still; 'but as for advice, with all due respect to your excellency, I do not wish any. I do not calculate to take

the advice of any man that lives, in relation to my affairs. I shall follow the council of my heavenly Father, and I have faith to follow it, and risk the consequences. I told Colonel Kane, when he undertook to counsel us, what I should do last spring; that he did not know me; that I would take no man's council upon the face of the earth; but would follow the council of God. You may think strange of it, but you will yet see that I am right.' ''¹⁶

16. *History of Brigham Young, Ms.*, entry for April 24th, 1859, pp. 373-380.

CHAPTER CXIX

INDIAN DIFFICULTIES—PERIODICALS, "VALLEY TAN" AND "MOUNTAINEER"—NOTABLE VISITORS—HORACE GREELEY—CAPTAIN RICHARD F. BURTON—THEIR BOOKS ON UTAH AND THE LATTER-DAY SAINTS

AMONG the interesting incidents of this period was a threatened uprising of the Indians in the territory, chiefly of the tribes in the south, the Utes, Pahvantes, and Piedes. Superintendent Forney, who was sometimes loud in his complaints of the policy of his predecessor, Brigham Young, and big in his promises to the Indians, but lax in carrying them out, lost prestige with some of the southern chiefs who were not backward in giving manifestations of their displeasure.¹

AN UPRISING OF INDIAN TRIBES THREATENED

In October, 1858, Jeremiah Hatch, Indian farmer for the tribes in San Pete county, reported that the Indians in San Pete county had driven off all the stock from the Indian farm; Chief Arapeen, brother of and successor in leadership to Walker, had been among the Navajoes, who had promised to join him in his proposed war against the "Americats."

This chief was gathering the Indian tribes at Fish Lake, about sixty miles south of Manti. He had opened communi-

1. See Forney's Report to the commissioner of Indian affairs at Washington, under date of Sept. 6th, 1858, *House Executive Documents*, 2nd Session, 35th Congress, No. 78, pp. 561-65. "Dr. Forney * * * has no influence over the Indians, and has succeeded by his picayunery to bring himself into supreme contempt among them, by promising them a great deal, and doing but little; and if his reports to the government show a very great expenditure, it must be for traveling fees, graybills, pickings, etc., as very little has been actually furnished to the Indians. (*History of Brigham Young, Ms.*, entry for Jan., 1859, p. 73). Both Indian Agent Hurt and Dr. Forney were dismissed from the service finally, the former at the instance of Dr. Forney. Forney himself was charged by Judge Cradlebaugh with returning false vouchers which led to an investigation that ran through many months, involving several trips back and forth of both the doctor and government agents between Salt Lake City and Washington. The faults of Forney's administration seem to have arisen from loose and careless methods of business. (See *History of Brigham Young, Ms.*, entry 7th of May, 1860; also *Deseret News*, 1860 *passim*, but especially the conclusion of the matter in impression of Nov. 14th, 1860).

cation with the Snakes, Shoshones, and Bannocks in the north, who were also ready to join him—"sixteen nations in all." "And if," reported Hatch, as being the view of Arapeen—"if the Mormons will join them, seventeen nations can wipe out the Americats. Arapeen is determined on war unless Brigham says no; and he will obey him. If the Mormons will not fight now they will pretty soon, for the Americats told them that as soon as snow covers the mountains the blood of the Mormon captains will flow."²

President Young wrote the chief that there must be no war on the Americans.

Bishop Warren Snow, reporting by letter to President Young, in December, represented Arapeen as saying that he was willing to obey Brigham's counsel,—which was "*let the soldiers alone*"—but he could not understand why Brigham should give him such counsel; he would have pitched into them if he had not received a letter from Brigham telling him not to. Many of his Indians were "mad" at him because he would not let them go and kill the Americans.³

This threatened uprising resulted in the Indian farm going to wreck, the grain was wasted, the settlers had to herd and corral their stock to prevent the Indians from stealing it, and the Indians had to be fed by the settlers.⁴ In October two citizens, Josiah Call and Samuel Brown, were killed by the Indians. This on Chicken Creek, about twenty miles south of Nephi. Arapeen reported to Bishop Snow that a party of six Indians had attacked the brethren, believing they were Americans;⁵ but Indian Farmer Hatch, who knew the Indians that did the killing—Tamock, son of the Chief

2. *History of Brigham Young, Ms.*, entry for Oct., 1858, pp. 1056-7. Hatch also reported Arapeen as saying that Doctor Forney, the new superintendent, had "a little heart, and it is as dark as night. President Young had a big heart, and it is white and clean as the sun." (*Ibid*). Arapeen also complained of the interpreters Forney employed, and asked why he did not use interpreters that the Indians knew and could feel at home with. The chief told Forney that "his talk was like bawling, it would go in one ear and out at the other; but Brigham's went into his ear, and sank into his heart, and stopped there. This enraged the doctor." (*Ibid*, p. 1209).

3. *History of Brigham Young, Ms.*, entries for Dec., 1858, pp. 1176-7.

4. *Ibid*, p. 1177.

5. *History of Brigham Young, Ms.*, Dec., 1858, pp. 1176-7.

Uintah being the leader, and "a bad Indian"—thinks they knew that Call and Brown were "Mormons."⁶ The two men fought their assailants bravely, and succeeding in killing Tamock.

ADDITIONS TO THE UTAH PRESS: "THE VALLEY TAN"—
"THE MOUNTAINEER"

The period under consideration witnessed the birth of two weekly periodicals in Utah, the *Valley Tan* and the *Mountaineer*. The former was a bitter anti-"Mormon" sheet, circulating chiefly at Camp Floyd. Its first number came from the press November 6th, 1858. The leading article was copied from the *National Intelligence*, against polygamy in Utah. The *Valley Tan*⁷ was edited by Kirk Anderson, formerly of the *Missouri Republican*, who arrived at Salt Lake City in September, 1858. "Some hinted that President Buchanan had a hand in sending him here"—i. e. to Utah.⁸

It finally developed, through statements by Governor Cumming, that Secretary Hartnett was the principal owner of the *Valley Tan*, and he soon became aware of the fact that its non-"Mormon" patronage was not sufficient to sustain it; and sought "Mormon" patronage. In conversation with D. H. Wells upon this subject, that gentleman told the secretary, "that if the *Valley Tan* would sustain Governor Cumming in his course, it would be approved here [i. e. Utah] and by the government at Washington." "Wells said: 'You know Mr. Hartnett, it is the wish of the administration that the difficulty that has existed should remain settled; that is also our wish. We are not afraid of a collision if it should come; we are just as ready for it as you are, but we should like matters to pass off quietly, as

6. *Ibid.*, p. 1057.

7. "Valley Tan," among the first Utah manufactured products, was a local tanned leather that was called "valley tan," to distinguish it from the imported article. The phrase became a colloquial descriptive name for very nearly every other article as well as leather manufactured in the territory, especially for a wretched sort of whiskey made in the territory.

8. *History of Brigham Young, Ms.*, entries for September, 1858, p. 956.

they should do, and as the administration desires they should do.' Hartnett acknowledged this was true, and said he intended to do it."

This conversation incidentally disclosed the character of the periodical in question. "Wells said the *Valley Tan* charges the people of this territory with being murderers, of being guilty of the highest crimes known to the government, and with every thing disgraceful. Hartnett said he did not approve of the course the paper had taken; but that some of the officers of the army had sent word to the editor, that if he did not 'pitch in like hell,' they would not patronize him."⁹

The *Valley Tan* was short lived, dying in the winter of 1860, after an existence of about eighteen months.¹⁰

The Mountaineer was published by a group of Salt Lake lawyers, Seth M. Blair, James Ferguson, and Hosea Stout.¹¹ Its first number appeared on the 27th of August, 1859. It was a vigorous opponent of the regime inaugurated by the federal judges. It was intended to be a strictly secular periodical, standing for the rights of the people, and announcing that the day "had gone by when lying scoundrels can palm off their rascality upon the citizens of Utah."¹²

Its motto was: "*Do What Is Right, Let the Consequence Follow.*" It took a brave and vigorous stand on this platform, but did not endure long, the sparse population of the territory not being equal to supporting two papers of the Latter-day Saints' interest, and the *Deseret News*, already long in the field, was meeting practically all the needs of that people.¹³

9. *History of Brigham Young, Ms.*, entries for January, 1859, pp. 86-7. The paper was published in Theodore Johnston's building, just south of the Historian's Office, on South Temple street; one thousand was the edition, the price \$8.00 per year. (*History of Brigham Young*, October, 1858, p. 1061).

10. It "expired," says Captain Burton, "after a slow and lingering dysthesis, induced by overindulgence in Gentile tendencies. It was established in 1858; the proprietor was Mr. Hartnett, the late federal secretary; the editor was Mr. Kirk Anderson, followed by Mr. De Wolf and others." (*City of the Saints*, p. 255).

11. *History of Brigham Young, Ms.*, entries for Aug., 1859, p. 645.

12. *Ibid*, 662, 671, et seq.

13. See Burton's *City of the Saints*, pp. 255-7.

TWO NOTABLE UTAH VISITORS—HORACE GREELEY, CAPTAIN
BURTON

Two notable gentlemen visited Utah about this time, Mr. Horace Greeley and Captain Richard F. Burton. The former the founder and editor of the *New York Tribune*, a noted anti-slavery leader, and then—1859—at the height of his power and popularity. The latter was an officer of the British army, but a gentleman who had traveled extensively, the author of a number of books, among them *The Lake Regions of Central Africa*.

Mr. Greeley arrived in Salt Lake City on the 10th of July, 1859. On the 13th he had a two hours interview with Brigham Young, chiefly upon "Mormonism." The editor's questions covered a great variety of subjects from infant baptism to belief in a personal devil and plurality of wives, but failed to reach the really fundamental things of the New Dispensation of the Christian religion. The substance of his questions and the answers to them he gives in his *Overland Journey from New York to San Francisco*, published a year later.¹⁴

HORACE GREELEY'S VIEWS OF "MORMONISM," AND GOVERNMENT
ARMY CONTRACTS

Of merely surface things with which he came in contact, Mr. Greeley gives an interesting account, among them a pen picture of Brigham Young that is worthy a place here:

"As President Young is the first minister of the Mormon church, and bore the principal part in the conversation, I have reported his answers alone to my questions and observations. The others appeared uniformly to defer to his views, and to acquiesce fully in his responses and explanations. He spoke readily, not always with grammatical accuracy, but with no appearance of hesitation or reserve, and with no apparent desire to conceal anything; nor did he repel any of my questions as impertinent. He was very plainly dressed in thin, summer clothing, and with no air of sanctimony or fanaticism. In appearance, he is a portly, frank, good-natured, rather thick-set man of fifty-five, seeming to enjoy life, and to be in no particular hurry to get to heaven. His associates are plain men, evidently born and reared to a life of labor, and

14. *Overland Journey*, chapter xxi.

looking as little like crafty hypocrites or swindlers as any body of men I ever met. The absence of cant or snuffle from their manner was marked and general; yet I think I may fairly say, that their Mormonism has not impoverished them—that they were generally poor men when they embraced it, and are now in very comfortable circumstances.”¹⁵

Mr. Greeley attended the tabernacle service where he listened to “Mormon” discourses on the one Sunday—17th of July—which he spent in Salt Lake City; one delivered by Orson Pratt in the morning, and the other by Elder John Taylor in the afternoon. The sermons, he thought, “adapted to tastes or needs different” from his own. The prayers were “pertinent and full of unction;” the music rather better than is to be heard “in an average worshipping assemblage in the states.” The extemporaneous method of speaking followed in the tabernacle he censured severely.¹⁶ Mr. Greeley also came in contact somewhat with the people in their homes and in social gatherings, so that he felt quite competent at the end of his ten days sojourn in Salt Lake City, after the fashion of men of his profession, to write to the *New York*

15. *Overland Journey*, p. 216.

16. Mr. Greeley professed to believe that every preacher should be a worker; and he liked “to see one mowing or pitching hay in his shirt-sleeves,” and could hear “with edification, an unlettered but devout evangelist” who worked part of the week for the subsistence of his family and devoted the rest of it to preaching the gospel to small schoolhouse or wayside gatherings of hearers.” “Let him only be sure to talk good sense,” said the great editor of the *Tribune*, “and I will excuse some bad grammar.” Then the censure:

“But when a preacher is to address a congregation of one to three thousand persons, like that which assembles twice each Sabbath in the Salt Lake City tabernacle, I insist that a due regard for the economy of time requires that he should prepare himself, by study and reflection, if not by writing, to speak directly to the point. This mortal life is too short and precious to be wasted in listening to rambling, loose-jointed harangues, or even to those which severally consume an hour in the utterance, when they might be boiled down and clarified until they were brought within the compass of half an hour each. A thousand half hours, reverend sir! have you ever pondered their value? Suppose your time to be worth ten times that of an average hearer; still, to take an extra half hour from a thousand hearers in order to save yourself ten or fifteen hours’ labor in the due and careful preparation of a sermon, is a scandalous waste, which I see not how to justify. Be entreated to repent and amend!” (*Overland Journey*, p. 220). It will go without saying that whether merited in this particular instance or not—I find only a brief synopsis of the two discourses in the *Deseret News*,—Mr. Greeley points out a common defect of the extemporaneous discourse—diffusiveness. Orson Pratt’s theme was the Book of Mormon, as the History of America; Elder John Taylor’s Communism as Attempted by Owen in England, Fourier in France, and Cabet in Nauvoo, in Contrast with Mormon Achievements Under its Spirit of Brotherhood. (*Deseret News* of July 20th, 1859).

Tribune quite dogmatically on all things pertaining to the religion of the Latter-day Saints, social life in Utah, polygamy, etc. Seriously, of course, what he wrote could be no thorough analysis of "Mormonism," but merely passing impression after a cursory survey of surface topics. But however disappointing Mr. Greeley's chapters on "Mormonism" may be, he evidently intended no injustice, and placed upon record concerning the people and conditions in Utah some passages that are valuable as the report of a brief sojourner among the saints, who was a keen observer, and a man of unusual intelligence, and one who intended to be fair.¹⁷

Mr. Greeley also visited Camp Floyd, where about three thousand troops were stationed at the time, with some small detachments engaged in surveying or opening roads, guarding herds, etc., in different parts of the territory. He gives a brief historical sketch of how the army came to be located in Utah; and its utter uselessness in Utah at the time of his visit. The climax of Mr. Greeley's historical sketch is:

"News came that the whole affair [i. e. Utah difficulties] had been somehow arranged—that Colonel Kane, Brigham Young and Governor Cumming had fixed matters so that there would be no more fighting. * * * They [the army] were somehow required to encamp as far from the Mormon settlements as possible; and they have ever since been treated by the federal executive as though they had volunteered to come here in defiance of, rather than in obedience to, that executive's orders."¹⁸

Mr. Greeley, it will be remembered, arrived in Utah shortly after the administration at Washington had subordinated the military to the civil authority in the territory: "Very general, then, is the inquiry in the army," he remarks,

"Why were we sent here? and why are we kept here? What good can our remaining do? What mischief can it prevent? A fettered, suspected, watched, distrusted army—an army which must do nothing—must not even be asked to do anything in any probable contingency—what purpose does it subserve beyond enriching contractors and Mormon magnates at its own cost and that of the federal treasury."¹⁹

17. See Note 1 end of chapter, for Mr. Greeley's views on "Mormonism," "Mormons," and Utah.

18. *Overland Journey*, p. 249.

19. *Overland Journey*, p. 252.

And then he proceeds to give such criticism of army contract management that, to say the least of it, is not flattering to the Washington administration at that time.

Following are several instances Mr. Greeley gives of contract manipulation:

"A suspicion that the army is kept here to answer private pecuniary ends is widely entertained. It is known that vast sums have been made out of its transportation by favored contractors. Take a single instance already quite notorious; twenty-two cents per pound is paid for the transportation of all provisions, munitions, etc., from Leavenworth to this point. The great contractors were allowed this for transporting this years' supply of flour. By a little dexterous management at Washington, they were next allowed to furnish the flour here—Utah flour—being paid their twenty-two cents per pound for transportation, in addition to the prime cost on the Missouri. As Utah has a better soil for growing wheat than almost anything else, they had no difficulty in subletting this contract at seven cents per pound net, *making a clear profit of one hundred and seventy thousand dollars on the contract, without risking a dollar, or lifting a finger.* Of course, I expect contractors to bargain for themselves, not for the government, but somebody is well paid for taking care of the public's interest in such matters. Has he done his duty?"

Another instance is given as to corn shipments:

"There have recently been received here thirty thousand bushels of corn from the states at a net cost, including transportation, of three hundred and forty thousand dollars, or over eleven dollars per bushel. No requisition was ever made for this corn, which could have been bought here, delivered, for two dollars per bushel, or sixty thousand dollars in all. The dead loss to the treasury on this corn is two hundred and eighty thousand dollars, even supposing that the service required it at all. Somebody makes a good thing of wagoning this corn from the Missouri at over ten dollars a bushel. Who believes that said somebody has not influential and thrifty connections inside of the war department?"

As a sample of attempted retrenchment in the government public service he cites the following:

"The mail from Missouri to Salt Lake has hitherto been carried weekly in good six-mule wagons: the contract time being twenty-two days. The importance of frequent and regular communication with headquarters, at least so long as a large army is retained here at a heavy extra cost, and because of some presumed public necessity, is evident. Yet the new postmaster-general has cut down the mail service on this important central route from weekly to semi-monthly. But the contractors, who are obliged to run their stages weekly because of their

passenger business, and because they have to keep their stock and pay their men, whether they work or play, find that they cannot carry the mail every other week so cheaply as they can every week. For instance, a mail from the states now often consists of twelve to sixteen heavy sacks (most of them filled with franked documents), weighing as many hundred pounds. Double this, and no six-mule team would draw it at the requisite pace, and no mail wagon stand the jerks and jolts of an unmade road. So they say, 'please let us carry the mail weekly, though you only pay us for carrying it semi-weekly.' But no! this is strictly forbidden! The postmaster at Salt Lake has expressed written orders to refuse it, and of course he at St. Joseph also. And thus all this central region, embracing at least a dozen important military posts, and countless Indian agencies, is reduced to a semi-monthly mail service, though the contractor would gladly make it weekly at the same price!"²⁰

CAPTAIN BURTON ON THE "MORMONS" AND THEIR RELIGION

Captain Richard F. Burton arrived in Salt Lake City on the 24th of August, 1860; and remained there and at Camp Floyd until the 20th of September—one month. The importance of his visit to Utah arises from the book he published of his journey "Across the Rocky Mountains to California," to which he gave the title, *The City of the Saints*, as was indeed proper since an account of "Mormon" life in Utah and the religion of the Latter-day Saints occupies eight of its thirteen chapters, besides several Appendixes, covering nearly fifty additional pages,²¹ that make up the volume of nearly six hundred pages.

The part of the work which Captain Burton devoted to "Mormonism" is much more pretentious than the part in Mr. Greeley's book, devoted to the same subject. This might reasonably be expected, since thirty days' contact with a religious system, and a community life, regarded as more or less of a modern problem, gives greater opportunity for mastering the literature *pro et con* that has sprung up about it;²²

20. *Overland Journey*, pp. 253-257.

21. These Appendixes consist of a description of the Salt Lake Temple; the Martyrdom of Joseph Smith by Apostle John Taylor; a Contrast of Moral Conditions in Collier Villages in Durham, England, with Those in Utah, *London Times* and *Deseret News*; and a *Chronological Abstract of Mormon History*.

22. Captain Burton himself publishes a *Bibliography* of eleven large pages of very small type—6 point nonpareil—in which he admits a triple division: 1. Gentile works, of which Gunnison's *Treatise*, Kane's *Lecture, The Mormons*, and Jules Remy and Brenc'hly's two volumes—*A Journey to Great Salt Lake City, 1860*—are

more time for analysis; and a larger chance for generalizing concerning it, *than ten days gives*—the time of Mr. Greeley's stay in Utah.

But while such a stay as Captain Burton made in Utah, and such other time elapsed before the publication of the *City of the Saints*—1862—delayed as he was by many months of travel before sitting down to the task—scarcely admits of the necessary study of such a theme as "Mormonism" is in order to a thorough analysis of it, followed by constructive opinion about it, still, it must be confessed, that Burton's work furnishes the best non-"Mormon" treatise on the "Mormon" religion and philosophy, and the fairest if not the profoundest criticism of it,²³ not only up to the time of the publication of his book, but until now—1930.²⁴

samples; 2. Anti-"Mormon" works, of which *Mormonism Unveiled*, by Howe; John C. Bennett's *Expose*, and *Female Life Among the Mormons*, by Miria Ward, are samples; 3. Pro-"Mormon" works, in which division is cited the *Mormon Scriptures*—including, which is rarely done by non-"Mormon" Bibliographers, the *Bible—Old and New Testaments*; the *Book of Mormon, Doctrine and Covenants*, and *Pearl of Great Price*; the standard, and the only standard works of the church, binding in faith and doctrine, and many works of secondary character, such as the writings of Orson and of Parley P. Pratt, John Taylor, *Journal of Discourses*, etc., etc.

23. This will be found principally and formally in chapter ix—*City of the Saints*—56 pages. But in chapters both preceding and following the ixth, statement and criticism of fragmentary parts of the religion and philosophy of the saints come up for passing notice.

24. If Captain Burton has any non-"Mormon" rival in the field of fair analysis of the "Mormon" religion and philosophy it would be in the work of Samuel M. Smucker, A. M. *The Religious, Social and Political History of the Mormons or Latter-day Saints*, the latest edition of which is that of 1881, and which treats the subject from its origin up to the death of President Brigham Young in 1877. Chapter x of Mr. Smucker's work—76 pages—is the one especially devoted to the analysis and criticism of "Mormonism," and it has one advantage at least over Captain Burton's treatise—it is more serious and painstaking; and equally as fair, if less striking and powerful.

Of Burton's work and of non-"Mormon" books on "Mormonism" generally, Mr. Phil Robinson, the *London Telegraph* correspondent in Africa during the first Boer War, said: "Whence have the public derived their opinions about Mormonism? From anti-Mormons only. I have ransacked the literature of the subject, and yet I really could not tell any one where to go for an impartial book about Mormonism later in date than Burton's *City of the Saints*, published in 1862. Burton, it is well known, wrote as a man of wide travel and liberal education—Catholic, therefore, on all matters religious, and generous in his views of ethical and social obliquities, sympathetic, consistent, and judicial. It is no wonder, then, that Mormons remember the distinguished traveler, in spite of his candor, with the utmost kindness. But put Burton on one side, and I think I can defy any one to name another book about the Mormons worthy of honest respect. From that truly awful book, *The History of the Saints*, published by one Bennett (even an anti-Mormon has styled him 'the greatest rascal that ever came to the west') in 1842, down to Stenhouse's in 1873, there is not, to my knowledge, a single Gentile work before the public that is not utterly

It must not be thought, however, that what is here said of the evident intention of Captain Burton to be fair and somewhat exhaustive, that therefore his treatise is a satisfactory non-"Mormon" treatise of the "Mormon" religion. In addition to the fact already noted—that this brilliant author did not allow himself sufficient time to master the literature, and become sufficiently familiar with the subject to write authoritatively upon it,²⁵ there is the spirit in which he wrote to be considered and—regretted.²⁶ That spirit he both confesses and attempts to justify. "In commenting upon what was seen and heard," he remarks in his preface, "I have endeavored to assume—whether successfully or not the public will decide—the cosmopolitan character."

And again:

"If in parts of this volume there appear a tendency to look upon things generally in their ludicrous or absurd aspects—from which noth-

unreliable from its distortion of facts. Yet it is from these books—for there are no others—that the American public has acquired nearly all its ideas about the people of Utah. (*Sinners and Saints*—1883, p. 245). Mr. Robinson came to Utah in 1882 as the special correspondent of the *New York World*, and wrote a series of articles for that journal which at the time produced a widespread interest in Utah and Latter-day Saint affairs. These letters were reproduced in book form the following year under the title *Sinners and Saints*, Roberts Brothers, Boston, 1883.

25. Captain Burton, himself, very frankly admits that his twenty-four days at headquarters [meaning Salt Lake City], while there was given him ample opportunities for "surface observation," still that was all that it amounted to—"surface observation." He saw, according to his own narrative "specimens of every class from the head of the church down to the field hand, and being a stranger in the land could ask questions and receive replies upon subjects which would have been forbidden to an American of the states, more especially to an official, but—"there is in Mormonism as in all other exclusive faiths, whether Jewish, Hindoo, or other, an inner life into which I can not flatter myself or deceive the reader with the idea of my having penetrated. At the same time, it is only fair to state that no Gentile, even the unprejudiced, who are *rarae aves*, however long he may live or intimately he may be connected with Mormons, can expect to see anything but the superficialities. The writings of the faithful are necessarily wholly presumed. And, finally, the accounts of 'Life in the City of the Saints,' published by anti-Mormons and apostates, are venomous, and, as their serious discrepancies prove, thoroughly untrustworthy. I may therefore still hope, by recounting honestly and truthfully as lies in my power what I heard, and felt, and saw and by allowing readers to draw their own conclusions, to take new ground." (*City of the Saints*, p. 203). But this it should be remembered, as well from the brevity of the time devoted to the subject as the difficulty of penetrating into it, was but surface ground.

26. What the *Illustrated London News* in its review of the work called "Elaborate Jocoseness," "Our author," said the review, "is a pleasant narrator, and indeed, if he have a fault; it is that he is too much prone to elaborate jocoseness, and to expand the capabilities of the English language for that purpose." (*Illustrated London News*, copied into *Deseret News* of Jan. 22nd, 1862).

ing sublunary is wholly exempt—my excuse must be *sic me natura fecit*. Democritus was not, I believe, a whit the worse philosopher than Heraclitus. The 'Procreation of Mirth' should be a theme far more sympathetic than the 'Anatomy of Melancholy.'"²⁷

And yet no one will, I think, agree now that Democritus is a proper model to follow in the discussion of such a problem as that which the religion of the Latter-day Saints presents. Their faith has not succumbed to the most violent persecution inflicted upon any people in modern times (save only the Jews in Russia); it has survived all the misrepresentations and the abuse heaped upon it by its enemies; it has established, to endure, the most remarkable and effective ecclesiastical organization of modern times; and by these and many other achievements—among them the bringing within its communion several hundred thousands of earnest, intelligent people—it has won the right to be treated seriously by its opponents. It is not a theme for the mirth or laughter of its critics; it has won too strong a position in the world of thought and achievement for that.

As an example of Captain Burton's flippant style the brief paragraph with which he opens his formal treatise "Of the Mormon Religion," will suffice:

"No less an authority than Alexander von Humbolt has characterized positive religions in general as consisting of an historical novelette, more or less interesting; a system of cosmogony more or less improbable; and a code of morals, mostly pure. Two-thirds of this description apply to the faith of the Latter-day Saints: they have, however, escaped palaeological criticism by adopting Genesitic history, and by 'swallowing Eve's apple' in the infancy of their spiritual life."²⁸

As a sample of the errors and misapprehensions into which he falls, taken from his second paragraph, the following will answer every purpose:

"Before proceeding to comment upon the New Dispensation—for such, though not claiming or owning to be, it *is*—I may compare the two leading interpretations of the word 'Mormon,' which, as has been

27. Preface, p. xi.

28. *City of the Saints*, p. 361.

well remarked, truly convey the widely diverging opinions of the opposers and supporters of 'Mormonism.'"²⁹

Our author then proceeds to render the two versions of the word "Mormon;" the anti-"Mormon" version "*a monster*;" Joseph Smith's definition, "*more good*." But it is with the statement that "Mormonism" is a New Dispensation without claiming, or even owning itself to be such, that we have to deal. If there has been one fact of its existence that "Mormonism" has been more especially conscious of than another, one that it has emphasized more than another, it has been this fact that it is a *New Dispensation*—not a new religion, but a New Dispensation of the old religion—of the Christian religion; and that Captain Burton should have missed that point is one evidence among many others that might be cited that due care was not observed by him in his treatise on "Mormonism."³⁰

THE BOOK OF JULES REMY

Of Jules Remy's two large volumes—*A Journey to Great Salt Lake City*—Captain Burton said: "The two volumes are more valuable for the observations on the natural history of the (then) little known basin, than for the generalisms, more or less sound, with which the subject of the new faith is discussed." Though he himself is unconscious of it, Captain Burton's book is open to a similar criticism, only varying the point of it from the "natural history of the (then) little known basin," to the then but little known, yet viciously misrepresented people of Utah. That is wherein Captain Burton's contribution to the literature of "Mormonism" is of value, not in his analysis of, and his well-meant but erroneous generalizations regarding, the "Mormon" religion, but in the downright honest report he makes—from

29. *Ibid.*

30. The claims of "Mormonism" to being a New Dispensation of the Christian religion—the gospel of Jesus Christ, and the last, the Dispensation of the Fulness of Times, is so fundamental and completely interwoven in its structure and history that citation of proof is not needed at this point, especially as the fact here dealt with is elaborately treated in chapter lxii of this *History*.

his cosmopolitan viewpoint, of course,—of the people and conditions as he found them in Utah in the year of grace one thousand eight hundred and sixty; and for that the Latter-day Saints and all who would know the truth about conditions in Utah at the time of the captain's visit are much beholden to him.³¹

NOTES

1. HORACE GREELEY ON "MORMONISM, MORMONS, AND UTAH"

The spirit of the "Mormon" religion Mr. Greeley regarded as Judaic rather than Christian. At the religious meetings he attended at the tabernacle Sunday, July 17, 1859, he declared he had never "seen a more devout and intent assemblage." "I had been told," he writes, "that the Mormons were remarkably ignorant, superstitious, and brutalized; but the aspect of these congregations did not sustain that assertion. Very few rural congregations would exhibit more heads evincing decided ability; and I doubt whether any assemblage, so largely European in its composition, would make a better appearance."

"Do I regard the great body of these Mormons," he asks, "as knaves and hypocrites? Assuredly not. I do not believe there was ever a religion whereof the great mass of the adherents were not honest and sincere. Hypocrites and knaves there are in all sects; it is quite possible that some of the magnates of the Mormon church regard this so-called religion (with all others) as a contrivance for the enslavement and fleecing of the many, and the aggrandizement of the few; but I cannot believe that a sect, so considerable and so vigorous as the Mormon, was ever founded in conscious imposture, or built up on any other basis than that of earnest conviction."³²

Neither did Mr. Greeley accept the current gentile "presumption" that "the Mormons were an organized *banditti*, a horde of robbers and assassins." Nor did he altogether discredit the tales of some "Mormon" outrages. "These Mormons," he said, are in the main an industrious, frugal, hard-working people. Few of them are habitual idlers; few live by professions or pursuits that require no physical exertion. They make work for but few lawyers—I know but four among them—their differences and disputes are usually settled in and by the church: they have no female outcasts, few doctors, and pay no salaries to their preachers—at least, the leaders say so. But a small portion of them use tea and coffee. Formerly they drank little or no liquor; but, *since the army came in last year, money and whisky have both been more abundant, and now they drink considerably.* * * * As yet, I believe, they

31. For the spirit in which he makes his report of the people and the conditions in Utah as he found them, see Note 2 end of this chapter.

32. *Overland Journey*, p. 223.

have few or no drunkards; but there is nothing more deceitful than the appetite for liquor."³³

Of the industrial disadvantages the people of Utah labor under, he said: "The average life in Utah is a hard one. Many more days' faithful labor are required to support a family here than in Kansas, or in any of the states. The climate is severe and capricious—now intensely hot and dry; in winter cold and stormy; and, though cattle are usually allowed to shirk for themselves in the valleys, they are apt to resent the insult by dying. Crickets and grasshoppers swarm in myriads, and often devour all before them. Wood is scarce and poor. Irrigation is laborious and expensive; as yet, it has not been found practicable to irrigate one-fourth of the arable land at all. Ultimately, the valleys will be generally irrigated, so far as water for the purpose can be obtained; but this will require very costly dams and canals. Frost is very destructive here; Indian corn rarely escapes it wholly, and wheat often suffers from it. Wheat, oats, corn, barley, rye, are grown at about equal cost per bushel—two dollars may be taken as their average price; the wheat crop is usually heavy, though this year it threatens to be relatively light. I estimate that one hundred and fifty days' faithful labor in Kansas will produce as large an aggregate of the necessities of life—food, clothing, fuel—as three hundred just such days' work in Utah. Hence, the adults here generally wear a toil-worn, anxious look, and many of them are older in frame than in years. I ardently hope it may not always be thus."³⁴

Mr. Greeley was disappointed in the lack of abolition sentiment in Salt Lake City, which he resented by saying at a banquet given in his honor: "I have not heard tonight, and I think I never heard, from the lips of the journals of any of your people, one word in reprehension of that national crime and scandal, American chattel slavery. * * * This obstinate silence, this seeming indifference on your part, reflects no credit on your faith and morals, and I trust they will not be persisted in." This harsh, not to say dictatorial language, was softened somewhat by Elder John Taylor—master of ceremonies at the reception and banquet tendered Mr. Greeley—saying: "The subject of slavery is one on which Mr. Greeley is known to be enthusiastic, as we are on the subject of our religion. We cannot help speaking of our religion at every opportunity as he cannot help speaking of slavery. Those who do not relish this or that topic, must excuse its introduction."

Mr. Greeley was of opinion that polygamy, from his viewpoint not necessarily an essential of Mormonism, would be abandoned. On taking his leave of Salt Lake City, he said: "I bid *adieu* to Salt Lake City, the great mass of whose people, I am sure, have an unfeigned 'zeal for God,' though I must deem it 'not according to knowledge.' Long may they live to unlearn their errors, and enjoy the rich fruits of their industry, frugality, and sincere though misguided piety."³⁵

33. *Overland Journey*, p. 234.

34. *Ibid*, pp. 237-8.

35. *Ibid*, p. 242.

2. CAPTAIN BURTON'S REPORT OF THINGS "MORMON"

(a) *Description of Salt Lake Valley*: "This valley—this lovely panorama of green, and azure, and gold—this land, fresh, as it were, from the hands of God, is apparently girt on all sides by hills: the highest peaks, raised 7,000 to 8,000 feet above the plain of their bases, show by gulches veined with lines of snow that even in this season winter frowns upon the last smile of summer. * * * Northward, curls of vapor ascending from a gleaming sheet—the Lake of the Hot Springs—set in a bezel of emerald green, and bordered by another lake-bench upon which the glooms of evening were rapidly gathering, hung like a veil of gauze around the waist of the mountains. Southward for twenty-five miles stretched the length of the valley, with the little river winding its way like a silver thread in a brocade of green and gold. The view in this direction was closed by 'Mountain Point,' another formation of terraced range, which forms the water-gate of 'Jordan,' and which conceals and separates the fresh water that feeds the Salt Lake—the 'Sea of Tiberias'—from the Dead Sea.

As we descend the Wasatch Mountains, we could look back and enjoy the view of the eastern wall of the 'Happy Valley.' A little to the north of Emigration canon, and about one mile nearer the settlement, is the Red Butte, a deep ravine, whose quarried sides show mottlings of the light ferruginous sandstone which was chosen for building the temple wall. A little beyond it lies the single 'City of the Dead,' decently removed three miles from the habitations of the living, and farther to the north is City Creek canon, which supplies the saints with water for drinking and for irrigation. Southeast of Emigration canon, are other ravines, Parley's, Mill Creek, Great Cottonwood, and Little Cottonwood, deep lines winding down the timbered flanks of the mountains, and thrown into relief by the darker and more misty shading of the farther flank-wall."³⁶

(b) *Security of Person in Salt Lake City*: "Long after dark I walked home alone. There were no lamps in any but Main street, yet the city is as safe as at St. James' Square, London. There are perhaps not more than twenty-five or thirty constables or policemen in the whole place, under their captain, a Scotchman, Mr. Sharp, 'by name as well as nature so;' * * * and the guard on public works if merely nominal. * * * During my residence at the Mormon city not a single murder was, to the best of my belief, committed: the three days which I spent at Christian Carson City witnessed three."

(c) *Relations of the Saints and the Indian Tribes*: "The humanity of the prophet's followers to the Lamanite has been distorted by Gentiles into a deep and dangerous project for 'training the Indians' to assassinate individual enemies, and, if necessary, to act as guerrillas against the eastern invaders. That the Yutas [Utahs]—they divide the white world into two great classes, Mormon and Shwop, or American generally—would, in case of war, 'stand by' their patrons, I do not

36. Burton's *City of the Saints*, pp. 194-195.

doubt; but this would only be the effect of kindness, which it is unfair to attribute to no worthier cause."

(d) *The Mormon Children*: "It will be necessary to notice certain statements relating to the ingenuous youth of Utah territory. It is generally asserted that juvenile mortality here ranks second only to Louisiana, and the fault is, of course, charged upon polygamy. A French author talks of the mortalite effrayante among the newly-born, while owning, anomalously, that the survivors sent braves *et robustes*. I 'doubt the fact,' Mr. Ferris, moreover, declares that there is 'nowhere out of the Five Points of New York City a more filthy, miserable, and disorderly rabble of children than can be found in the streets of Great Salt Lake City.' As far as my experience goes, it is the reverse. I was surprised by their numbers, cleanliness, and health, their hardihood and general good looks. They are bold and spirited. The Mormon father, like the Indian brave, will not allow the barbarous use of the stick; but this is perhaps a general feeling throughout the states, where the English traveler first observes the docility of the horses and the indocility of the children. But, as regards rudeness, let a man 'with whiskers under his snout,' (i. e., mustaches), ride through a village in Essex or Warwickshire, and he will suffer more contumely at the hands of the infant population in half an hour than in half a year in the United States or in Utah."

(e) *General Misapprehension and Untrustworthiness of Anti-Mormon Literature*: "The Mormons have been represented, and are generally believed to be, an intolerant race; I found the reverse far nearer the fact. The best proof of this is that there is hardly one anti-Mormon publication, however untruthful, violent, or scandalous, which I did not find in Great Salt Lake City. The extent of the subjoined bibliographical list [referred to in note 22, this chapter] would deter me from a theme so used up by friend and foe, were it not for these considerations. In the first place, I have found, since my return to England, a prodigious general ignorance of the 'Mormon rule;' the mass of the public has heard of the saints, but even well educated men hold theirs to be a kind of socialistic or communist concern, where, as in the world to come, there is no marrying nor giving in marriage. Even where this is not the case, the reader of travels, will not dislike to peruse something more of a theme with which he is already perhaps familiar; for in this department of literature, as in history and biography, the more we know of a subject, the more we want to know. Moreover, since 1857, no book of general interest has appeared, and the Mormons are a progressive people, whose 'go-a-headitiveness' in social growth is only to be compared with their obstinate conservatism in adhering to institutions that date from the days of Abraham. Secondly, the natural history of the new faith—for such it is—through the several periods of conception, birth, and growth to vigorous youth, with fair promise of stalwart manhood, is a subject of general and no small importance. It interests the religionist, who looks upon it as the 'scourge of corrupted Christianity,' as much as the skeptic, that admires how, in these days of steam traveling, printing, and telegraphing, when 'many

run to and fro,' and when 'knowledge' has been 'increased,' human credulity will display itself in the same glaring colors which it wore ere the diffusion of knowledge became a part of social labor. The philosophic observer will detect in it a notable example of how men's *agitat molem*, the 'powerful personal influence of personal character,' and the 'effect that may be produced by a single mind inflexibly applied to the pursuit of a single object;' and another proof that 'It is easier to extend the belief of the multitude than to contract it'—a circumstance which proceeds from the false but prevalent notion that too much belief is at least an error on the right side. * * * I hope to make it appear that the highly-colored social peculiarities of the new faith have been used as a tool by designing men to raise up enmity against a peaceful, industrious, and law-abiding people, whose whole history has been a course of cruel persecution, which, if man really believed in his own improvement, would be a disgrace to a self-styled enlightened age."³⁷

(f) *Burton's Character Sketch of Brigham Young*: "Altogether the prophet's appearance was that of a gentleman farmer in New England—in fact, such as he is: his father was an agriculturist and revolutionary soldier, who settled Down East. He is a well preserved man: a fact * * * attributed to his habit of sleeping, as the Citizen Proudhon so strongly advises, in solitude. His manner is at once affable and impressive, simple and courteous: his want of pretension contrasts favorably with certain pseudo-prophets that I have seen, each and every one of whom holds himself to be a 'Logos' without other claim save a semi-maniacal self-esteem. He shows no signs of dogmatism, bigotry, or fanaticism, and never once entered—with me at least—upon the subject of religion. He impresses a stranger with a certain sense of power; his followers are, of course, wholly fascinated by his superior strength of brain. It is commonly said there is only one chief in Great Salt Lake City, and that is 'Brigham.' His temper is even and placid; his manner is cold—in fact, like his face, somewhat bloodless; but he is neither morose nor methodistic, and, where occasion requires, he can use all the weapons of ridicule to direful effect, and 'speak a bit of his mind' in a style which no one forgets. He often reproves his erring followers in purposely violent language, for a stolen horse or cow. His powers of observation are intuitively strong, and his friends declare him to be gifted with an excellent memory and a perfect judgment of character. If he dislikes a stranger at the first interview, he never sees him again. Of his temperance and sobriety there is but one opinion. His life is ascetic: his favorite food is baked potatoes with a little buttermilk, and his drink, water: he disapproves, as do all strict Mormons, of spirituous liquors, and never touches anything stronger than a glass of thin lager beer; moreover, he abstains from tobacco. Mr. Hyde has accused him of habitual intemperance, he is, as his appearance shows, rather disposed to abstinence, than to the reverse. Of his education I cannot speak: 'Men, not books—deeds, not words,' has ever been his motto; he probably has, as Mr. Randolph said of Mr. Johnston, 'a

37. *City of the Saints*, pp. 203-214.

mind uncorrupted by books.' In the only discourse which I heard him deliver, he pronounced impet'us, imp'etus. Yet he converses with ease and correctness, has neither snuffle nor pompousness, and speaks as an authority upon certain subjects; such as agriculture and stock breeding. He assumes no airs of extra sanctimoniousness, and has the plain, simple manners of honesty. His followers deem him an angel of light, his foes a goblin damned: he is, I presume, neither one nor the other. I cannot pronounce about his scrupulousness: all the world over, the sincerest religious belief and the practice of devotion are sometimes compatible not only with the most disorderly life, but with the most terrible crimes; for mankind mostly believe that

'Il est avec le ciel des accommodements.'

He has been called hypocrite, swindler, forger, murderer. No one looks it less. The best authorities—from those who accuse Mr. Joseph Smith of the most heartless deception, to those who believe that he began as an imposter and ended as a prophet—find in Mr. Brigham Young 'an earnest, obstinate egotistic enthusiasm, fanned by persecution and inflamed by bloodshed.' He is the St. Paul of the New Dispensation: true and sincere, he gave point, and energy, and consistency to the somewhat disjointed, turbulent, and unforeseeing fanaticism of Mr. Joseph Smith; and if he has not been able to create, he has shown himself great in controlling circumstances. Finally, there is a total absence of pretension in his manner, and he has been so long used to power that he cares nothing for its display. The arts by which he rules the heterogeneous mass of conflicting elements are indomitable will, profound secrecy, and uncommon astuteness."³⁸

At the close of his description of his interview with President Young, Captain Burton gives his impression of the prophet in this passage: "When conversation began to flag, we rose up, shook hands, as is the custom here, all round, and took leave. The first impression left upon my mind by this short seance, and it was subsequently confirmed, was, that the 'prophet' is no common man, and that he has none of the weakness and vanity which characterize the common uncommon man. A desultory conversation cannot be expected to draw out a master spirit, but a truly distinguished character exercises most often an instinctive—some would call it a mesmeric—effect upon those who come in contact with it; and as we hate or despise at first sight, and love or like at first sight, so nature teaches us at first sight what to respect. It is observable that, although every Gentile writer has represented Mr. Joseph Smith as a heartless impostor, few have ventured to apply the term to Mr. Brigham Young."³⁹

38. *City of the Saints*, pp. 239-240.

39. Burton's *City of the Saints*, chapter iv, p. 245.

CHAPTER CXX

CLOSE OF THE CAMP FLOYD PERIOD—COMPLETION OF THE OVER- LAND TELEGRAPH LINE—REQUISITION FOR UTAH MEN FOR FEDERAL SERVICE

THE approaching outbreak of the war between the states brought to a close the Camp Floyd period in Utah. On the 22nd of February, 1860, General Johnston, acting upon his discretionary orders from the secretary of war, announced to the adjutant general United States Army of America, at Washington, that the service in Utah did not require his special presence, and he had therefore turned over the command, on the above date, to Brevet Colonel Chas. F. Smith, 10th Infantry, and that on the next day he intended to start for Washington by the southern route to California,¹ thence across the isthmus for the east.

DEPARTURE OF ALBERT SIDNEY JOHNSTON FROM UTAH

His departure was very quietly effected. No mention of it being made in the *Deseret News*, until the 7th of March. The general never visited Salt Lake City after passing through it in June, 1858; just why is left wholly to conjecture, as he himself deigned to give no explanation. The general and Brigham Young never met each other. Of the strict discipline General Johnston maintained in the army, which contributed so much to keeping down to a minimum the evils that the presence of an armed camp of soldiers introduced into the territory, I have already spoken; and also of the appreciation that was felt on the part of the civil community for that service. One can only regret that so excellent a soldier and gentleman could not have so far overcome his prejudices as to

1. See letters of the war department and Johnston's letter to the adjutant general, *Senate Executive Documents*, 36th Congress, 1st Session, No. 78, pp. 50-1.

have made at least a better and a more extended acquaintance among the civilians of the city and of the territory.²

Camp Floyd was still further reduced by the departure of a number of companies for New Mexico in May. They went by way of the Timpanogos (i. e. Provo canon), Echo canon, Fort Bridger, and Fort Laramie. The companies marched in two subcolumns under the command of Colonel Morrison and Major Isaac Lynde, respectively. A very large contingent of the camp followers—including women and gamblers that had infested Camp Floyd—left with these detachments, much to the relief and satisfaction of the people of Utah.³ On Yellow Creek, near the head of Echo canon, the retiring companies—officers and men—disgraced the army by permitting and participating in a most brutal assault upon William and James Hennifer. The former was stripped of his clothing and then whipped and beaten nearly to death at the instance of Assistant Surgeon, Dr. Edward Covey and Lieutenant Ebenezer N. Gay. The assault was an act of revenge. William Hennifer was on the police force in Salt Lake City at the time Dr. Covey was arrested for riot and an assault upon the police, in November, 1858,⁴ and participated in Covey's arrest. Finding Hennifer in the army camp, afforded Covey the opportunity for his cowardly revenge, which was executed in the presence of a large concourse of officers and troops of the army, and within fifty and one hun-

2. "Those who have made the general's acquaintance since his arrival in the valley," said the *Deseret News* in its notice of his departure, "speak highly of him as an officer and a gentleman. For some cause he never visited Salt Lake City after he passed through it with his army on the 26th of June, 1858, consequently he never had the opportunity of seeing the 'Lion,'"—[i. e. meaning Brigham Young]. (*Deseret News* of March 7th, 1860).

3. "*Moving Off*: Since the scarcity of money in this territory began to be felt by the riff-raff, that followed the army to Utah, they have been leaving slowly, and before it was generally known that a large portion of the troops were to be removed, the number of that class of beings had been greatly reduced in this and other cities in this part of the country, to the great joy of the citizens. The recent marching of troops has given a new impetus to their emigrating inclinations, and they have, during the last few weeks, been leaving the territory by scores; and gamblers, black-legs, thieves and murderers are not so plenty hereabouts by half as they were two weeks ago, with a fair and increasing prospect that their numbers will continue to grow less, till there will be but few, or none of them, left in the land." (*Deseret News* of May 23rd, 1860).

4. See chapter cxvi. footnote 27.

dred yards respectively, of Colonel Morrison and Major Lynde's tents.⁵

SUCCESSIVE COMMANDERS AT CAMP FLOYD

Colonel Charles F. Smith, as already observed, was left in command at Camp Floyd on the departure of General Johnston.⁶ He was later superseded by Colonel P. St. George Cooke who had been in the east on leave of absence, but had been assigned meanwhile to the command of the post.⁷ Some time after Colonel Cooke was placed in command, the name of Camp Floyd was changed to Fort Crittenden. The *Deseret News* states that the change was made by Colonel Cooke and his officers in February, 1861, subject to the approval of the war department.⁸ The change was no doubt suggested on account of the manifest treason of Secretary of War John B. Floyd to the government.

THE ARMY CAMP ABANDONED—DESTRUCTION OF THE MUNITIONS OF WAR

The "fort," however, scarcely became accustomed to its new name before the orders arrived for its abandonment. This was effected late in the summer of 1861. The government property at Fort Crittenden, that the retiring army could not conveniently take with it, was ordered to be sold at public auction, excepting arms and munitions of war, all which, in excess of what could be conveniently carried by the returning troops, was to be destroyed.⁹ The government property, con-

5. See *Deseret News* of June 6th, 1860. For details of the incident see Note 1 end of this chapter.

6. See Johnston's letter to adjutant general U. S. A., Feb. 22nd, 1869. *Senate Executive Documents*, 36th Congress, 1st Session, No. 78, p. 51.

7. This much against his desire; for in conversation with George Q. Cannon in April, while yet in the east, Colonel Cooke "hoped he would not be under the necessity of starting for Utah to take charge of the army, as he hoped the whole of the army would be withdrawn." (*History of Brigham Young, Ms.*, entry for April, 1860, p. 105).

8. *Deseret News* of Feb. 13th, 1861.

9. See article in *Millennial Star*, vol. xxiii, p. 613. Also affidavit of George Goddard. (*History of Brigham Young, Ms.*, entry for July, 1861, p. 379, *et seq.*). Goddard tried to purchase two or three tons of powder for blasting purposes, but the officers at the fort though quite willing personally to grant the request, could not do so because of the orders of the war department. Goddard tried to purchase a few

sisting of the houses and other buildings, wheat, flour, bacon, groceries, harness, tents, mules, wagons, all kinds of tools, etc., sold at ridiculously low prices: flour at 52 cents per 100 lbs. in double sacks. Brigham Young bought 25 tons of flour for the church at even less than that, paying but \$10 per ton.¹⁰ This flour had cost the government \$28.40 per sack, or about \$570 per ton, delivered in Salt Lake City.¹¹ The other government property sold at a like ratio of loss to the government. It was estimated that \$4,000,000 worth of property was sold for \$100,000; less than three per cent of its cost value to the government; and of this purchase price Brigham Young is said to have supplied \$40,000 through his business agent Mr. Hiram B. Clawson.¹² The foundations of the fortunes of a number of Utah men, who afterwards became prosperous merchants in Salt Lake City, were laid in the advantageously low prices at this government sale.

The sales of the property ended, the arms that could not be taken back to the states with the retiring troops, were carried some distance from the camp, piled up in pyramids, then

hundred thousand gun caps, but these the officers could not sell, and as they were light and easy of transportation Captain Clark, of the ordnance department, declared his intention to take them to the states (*Ibid*). Respecting this destruction of arms and other munitions of war, the *Millennial Star* had a strong editorial, in the course of which it was said: "Before leaving, everything they could not take with them, excepting the guns and ammunition they could not carry, was sold out. These latter, consisting of guns, powder, lead, and shells, they destroyed. An action of this kind requires no comment. After the army had been detained in the mountains by the threatened resistance of the people of Utah, it was asserted that one of the principal objects the government had in view in sending them there was to protect the settlers in that country and the emigrants who might be passing through from the attacks of the Indians. They tried to persuade the people of the territory that they, in preventing them from entering into the valley, were interfering with the generous intentions of their true friends. This was the view, also, they gave to the world. Of course, upon their being called away, it might have been expected that, as they could not be there themselves to assist in the defense of the people and country, they would at least have left what arms and ammunition they could spare. But no, they would neither sell nor leave to be used, munitions of this kind." (*Millennial Star*, vol. xxiii, p. 613). This criticism should be leveled at the federal administration, however, not at the army commanders, as they could do no other than obey the orders of the war department. And after all was it not a true "war policy" than otherwise, since the government did not wholly trust the people of Utah in the matter of their loyalty to that government with which they had been so recently in conflict.

10. *History of Brigham Young, Ms.*, July, 1861, p. 332.

11. Bancroft's *History of Utah*, p. 575.

12. See Editorial in *Millennial Star*, vol. xxiii, p. 613; also Bancroft's *History of Utah*, p. 575; and Stenhouse *Rocky Mountain Saints—1873*, pp. 421-3. Tullidge's *History of Salt Lake City*, p. 248.

buried in powder and the pyramids connected by a fuse. This, at a given signal, was lighted, and the destruction completed save for a few pieces of ordnance that could not be wrecked by explosion, and these were thrown into deep wells, only afterwards to be recovered by the citizens and used in the armament of the Nauvoo Legion—the name under which was organized, it will be remembered, the territorial militia.¹³

Thus was destroyed, in large part, the munitions of war that equipped the best furnished, and the most distinguished officered "Expedition" ever sent out by the United States government in a time of peace. The army came to Utah—under certain contingencies, at least—to destroy; what it really did was to enrich the Latter-day Saint community of Utah. "They [the army] will move away for the states within two weeks," wrote William Clayton to George Q. Cannon; "and thus ends the great Buchanan 'Utah Expedition,' costing the government millions, and accomplishing nothing except making many of the saints comparatively rich, and improving the circumstances of the people of Utah. You may well believe that merchants and speculators [i. e. connected with the army] look blue and feel gloomy enough, and the true saints feel well in proportion."¹⁴ Was there not something prophetic in the hymn "Zion," by Elder Penrose, and sung at the close of the Peace Commission conference at the request of President Young—

"And their silver and gold
As the prophets have told
Shall be brought to adorn thy fair head."

GOOD-FELLOWSHIP WROUGHT BY TRADE

The approaching departure of the last remnants of the

13. Tullidge's *History of Salt Lake City*, pp. 248-9. For some time the soldiers at Camp Floyd—or by then Fort Crittenden—were permitted in the evening to amuse themselves in firing shells from the mortars as one of the means of destroying them. From fifty to seventy-five shells would be fired each night, the shells exploding usually before striking the hills at which they were fired. (Goddard affidavit, *History of Brigham Young, Ms.*, entries for July, 1861, pp. 379-80).

14. The letter bears date of July 16th, 1861, the day the auction sales began at Fort Crittenden.

army from Fort Crittenden, together with the necessary mingling of the officers and leading civilians of Salt Lake City in the transaction of the necessary business of conducting the sales of government property, softened the asperities that had hitherto existed between the military authorities of the camp and the citizens of the territorial capital, and made it possible for them to separate with something that had the appearance of amity. Mr. Hiram B. Clawson, who had acted as President Young's business agent in the matter of making purchases at Fort Crittenden, invited the officers of the camp to call upon President Young, an invitation they readily accepted; and Colonel Cooke with his associated officers presented to Brigham Young the flag staff of Camp Floyd-Fort Crittenden, which had been erected at the army post early in November, 1858; and upon which, on the 9th of that month, the national flag was unfurled in the presence of the general commanding and amid great military display—the playing of national airs by the bands, the cheering of the army, and the firing of the national salute, then thirty-two guns, one for each of the states of the Union.¹⁵

After the remnant of the army was departed, the flag staff was removed from Fort Crittenden, and planted on the hillcrest immediately east of the Beehive House, where it stood for many years.¹⁶

15. The flag staff was 90 feet long from the ground to the truck; the first mast was about 45 feet long from the ground to the cross trees; 9 feet in the ground, circumference at the base 4 feet 4 inches. It was well made and a good piece of timber. The post flag unfurled on the 9th of November, 1858, measured 40 by 28 feet. No breeze greeting it when first drawn to the top of the flag pole, it hung listless in its folds. In that form it was beautifully emblematical of peace. But about an hour after the celebration of raising it was over, a light wind arose and unfurled it in all its glory. "As it stretched its ample folds in the breeze," said the *Deseret News*. account of the ceremonies, "the mind could not but reflect that now, when nobly waving, it was like the sons of America, though mild in peace [symbolized in the furled flag in the absence of the breeze an hour before] can, when roused by commotion, display a willingness to exert a fearless power; and exclaim—

Hurrah! for the stripes and stars,
That float over land and sea;
A terror to tyrants in wars,
And the pride of the sons of the free."

(*Deseret News*, impression of Nov. 10th, 1858).

16. "And, singularly enough," remarks Stenhouse, "that flag staff on which

Thus passed Camp Floyd-Fort Crittenden out of existence¹⁷—save for its history. The only thing that remains to remind the visitor to Cedar valley that it was once the site of a considerable military encampment—numbering with its *attaches* above five thousand souls—is the light, iron-fenced graveyard, and the granite stone monument which marks the last resting place of the officers, soldiers, and civilian employees who died during the three years that the army was stationed there.

THE DEPARTURE OF GOVERNOR CUMMING FOR THE EAST

As part of the breaking up of Camp Floyd and the closing of the period which naturally bears its name, there should be noted the departure of Governor Cumming from the territory. His term of office came to a close in the spring of 1861; and on the 17th of May he quietly took his departure from the city, going *via* Emigration canon. Near the foot of Little Mountain one of his baggage wagons upset and the contents of it rolled into the creek. Some workmen passing at the time assisted in getting the wagon righted up and replacing the wetted freight; for which the governor insisted, after his own fashion, on making liberal compensation. Brigham Young was absent from the city at the time visiting settlements in the south, and did not have the opportunity of saying good-bye to his generous-hearted friend. The governor seems to have been determined to keep his departure from the city a secret. "It seemed to be his wish," said the *Deseret News*, five days after his departure, "to avoid any demonstra-

were hoisted the 'Stars and Stripes' to rally the troops that had come to overthrow 'the kingdom,' was subsequently used to assemble the Mormons for the defense of Brigham against the California volunteers, who for months were expected to arrest him." (*Rocky Mountain Saints*, p. 422).

17. Commenting on the passing of Camp Floyd Gilbert Clements, in a letter to W. G. Mills—then in England upon a mission—under date of Aug. 25th, 1861, said: "The troops are gone. Camp Floyd, which for three years past has resounded with the orgies of the ungodly and become a nest for every unclean thing, has reverted to its wonted quietude and simplicity. Sometimes I regret that I never visited it; yet at other times I feel grateful that I have kept myself entirely aloof from Gentile influences and associations. I did not even attend the sale, though many have made fortunes by so doing. The vast stores of groceries, provisions, and the vast material of the gallant army, were sold for a mere song." (*Millennial Star*, vol. xxiii, p. 694).



CEDAR VALLEY

Site of Camp Floyd-Fort Crittenden, occupied by
the United States Troops of the "Utah Expedition,"
1858-1861.

tion of his friends on the occasion of his departure, carefully concealing from them, as far as possible, the time when it might be expected to take place, and few, if any knew when he went, as he was moving about briskly from place to place during the day closing up his business affairs, and late in the afternoon started out so unceremoniously, that it was not generally known that he had gone until the next morning.

Commenting upon his administration the *Deseret News* also said:

"Of the official acts of Governor Cumming as the chief magistrate of Utah, we do not wish to speak particularly at this time, further than to say that his straightforward course pursued in the discharge of his executive duties, and the independence he has manifested and maintained in the midst of the difficulties which have surrounded him at times have secured for him many friends, by whom he will not soon be forgotten whatever the future may bring forth. We wish him and his lady a prosperous trip across the plains, and a safe arrival at their dwelling place on the banks of the Savannah."

Thus passed from the community life of Utah one of the kindest-hearted gentlemen, and one of the truest and bravest friends the people of Utah ever had.

We may obtain but one more glimpse of Governor Cumming, and that, too, a sad one. Returning to his beloved state of Georgia, he identified himself with the southern cause in the war between the states, and shared the fortunes of the "lost cause." Just what all his fortunes were in the war we may not know, since what we get of him is merely a glimpse, not a full view. This in 1864, about one year before the surrender of Lee and the end of the war. The view comes from *A Diary From Dixie*, published in 1905, (402 pages) by Mary Boykin Chestnut, the wife of a brigadier general of the south, residing at Richmond, and a familiar of the first families of the south gathered at Richmond, including the family of Jefferson Davis. An arrangement had been made for an exchange of northern for southern prisoners on the 24th of March, 1864, and this is Mrs. Chestnut's diary entry, in part, for that day:

"Maggie Howell and I went down to the river to see an exchange of prisoners. Our party were the Lees, Mallorys, Mrs. Buck Allan, Mrs. Ould. * * * Governor Cumming, a Georgian, late governor of Utah, was among the returned prisoners. He had been in prison two years. His wife was with him. He was a striking looking person, huge in size, and with snow-white hair, fat as a prize ox, with no sign of Yankee starvation or barbarity about him."¹⁸

We are happy to learn that his term of two years' imprisonment had left no traces of physical evil effects upon him. "His wife was with him!" This was the accomplished daughter of the prominent Boston physician whom he had married in his early manhood; who had shared his rough journey to the west in the "Utah Expedition;" and the rougher experiences at Camp Scott, near Fort Bridger, in the winter of 1857-8. She was with him during the years of his life and perplexing experiences in Salt Lake City and Utah where she witnessed the thrilling scenes of a people *en trek* to an unknown wilderness to escape the terrors of what was believed to be a military invasion of their homes, and wept over their fallen fortunes, and in tears pleaded that something might be done to relieve their seemingly hopeless fortunes.¹⁹ She shared, too, that long and perilous journey from Utah to the state of Georgia only to enter with her people into the throes of, to them, a disastrous war, with its two years of imprisonment for Utah's former governor and its long separation of the devoted pair. And now, at the end of two years of imprisonment, and nearing the close of the war, "his wife was with him!" Let us hope that the closing years of their life was kindlier for them than some of their middle life experiences.

Mrs. Chestnut in this same connection mentions at this exchange of prisoners the presence of another prominent Utah historical character, our good Colonel Thomas L. Kane, —no less—who in the fortunes of war had been taken prisoner by General "Stonewall Jackson" and now was booked

18. See article by Mr. Isaac K. Russell, *Improvement Era* for April, 1926.

19. The incident rests upon the narrative of Edward Tullidge, *Life of Brigham Young*, chapter xix; and is quoted by Whitney in his *Popular History of Utah*, p. 158.

to be an exchange prisoner of war. How strange the fortunes of war, that these famous Utah characters should meet (if they did meet) at such a time and place and under such circumstances, so similar for them, yet so different! Working together in Utah; on opposite sides at Richmond, both prisoners of war; both up for exchange; and within five little years of time!

Secretary Francis H. Wooton succeeded as acting governor, after the departure of Cumming, but his "reign" was a brief one, since as a Marylander of strong southern sympathies, he soon resigned, to return home and cast in his lot with the cause of the Confederacy.

LOSS AND GAIN OF "BUCHANAN'S FOLLY"—I. E., THE "UTAH EXPEDITION"

The "Utah Expedition," now come to its inglorious close, will be well named in history "Buchanan's Folly;" for while it achieved neither practical nor sentimental ends in Utah—unless to intensify the feeling of many of the Latter-day Saints that the federal administration of that period was indeed their enemy, and bent upon their destruction, could be regarded as sentimental ends—and at the same time it cost government through years when its treasury was depleted,²⁰ and at a most inopportune time—on the eve of the war between the states—a great amount of treasure, variously estimated but usually put at about forty millions of dollars.²¹

20. Speaking of the embarrassing financial condition of the government at the close of the Buchanan administration, to which the expense of the "Utah Expedition" during that administration had contributed so much, and the perplexities which confronted the new secretary of the treasury in Mr. Lincoln's cabinet—Mr. Salmon P. Chase—(Bryant-Gray-Brooks, *History of the United States*) says: "On taking office he found the credit of the government impaired at home and almost destroyed abroad. Revenue had been permitted to shrink without alarm, and apparently without creating concern. The public debt had been increased, although at the date of Mr. Lincoln's election it stood at what now seems the very moderate figure of less than \$65,000,000. Expenditures had for some time exceeded revenue. The treasury was empty—there was not money enough to pay members of congress. Such was our financial condition when congress assembled in extra session on July 4th, 1861." (vol. v, p. 487).

21. Stenhouse puts the cost at fourteen million dollars, (*Rocky Mountain Saints*, p. 421); Tullidge twenty million, (*History of Salt Lake City*, p. 248); the contracts for sending supplies to the army in Utah and those that were to go to re-

The close of the Camp Floyd period of this *History* brings us over into the Civil War period, and here is the proper place to deal with the "Mormon" attitude—as expressed through Utah's attitude—towards that very great national event.

THE ADVENT OF THE TELEGRAPH LINE IN SALT LAKE CITY

On the afternoon of October 18th, 1861, the Overland Telegraph Line was completed to Salt Lake City, thus realizing, in part, the desires expressed by the Latter-day Saints through the territorial legislature of Utah, as early as March, 1852, when congress was memorialized by that body to provide for the construction of a telegraph line from some point on the Mississippi or the Missouri to the Pacific coast, *via* Salt Lake City.²²

The first use of the electric messenger being courteously extended to President Brigham Young, he sent the following message to the president of the telegraph company:

"Sir: Permit me to congratulate you upon the completion of the overland telegraph line west to this city, to commend the energy displayed by yourself and associates in the rapid and successful prosecution of a work so beneficial; and to express the wish that its use may ever tend to promote the true interests of the dwellers upon both the Atlantic and Pacific slopes of our continent. *Utah has not seceded, but is firm for the Constitution and laws of our happy country, and is warmly interested in such useful enterprises as the one so far completed.*"²³

inforce them in the spring of 1858 alone amounted to more than six millions (*Atlantic Monthly*, April, 1859); United States Senator Broderick, of California, in conversation with President Young, put the cost of the "Utah Expedition" at forty millions. (*History of Brigham Young, Ms.*, entries for Oct., 1858, p. 1017). In the *History of Brigham Young, Ms.*, under date of Dec. 13th, 1858, is a tabulated statement of the expenses of the government's "campaign against the Mormons" up to that time, giving what is evidently a careful statement of the respective divisions of the army marched into Utah and their subsequent distribution up to that time. It is the most carefully itemized statement of the forces and the probable expenses up to that time extant; and for that reason will be found as Note 2 at the end of this chapter.

22. See *Acts and Resolutions of the First Annual and Special Sessions of the Legislative Assembly of the Territory of Utah, 1851-2*, pp. 226-7; also this *History*, ch. xcv.

23. *Deseret News* of Oct. 23rd, 1861. Unhappily it has gotten into minor phases of our Utah literature that this dispatch was sent by Brigham Young to President Lincoln.

In his reply Mr. Wade said to President Young that he was gratified that the "first message to pass over the line, should express so unmistakably the patriotism and Union-loving sentiments of yourself and people."²⁴ The full text of the telegram was as follows:

"Cleveland, Oct. 19th, 1861.

Hon. Brigham Young, Prest.
Great Salt Lake City.

Sir:—I have the honor to acknowledge the receipt of your message of last evening, which was in every way gratifying, not only in the announcement of the completion of the Pacific telegraph to your enterprising and prosperous city, but that yours, the first message to pass over the line, should express so unmistakably the patriotism and Union-loving sentiments of yourself and people.

I join with you in the hope that this enterprise may tend to promote the welfare and happiness of all concerned, and that the annihilation of time in our means of communication may also tend to annihilate prejudice, cultivate brotherly love, facilitate commerce, and strengthen the bonds of our once and again to be happy Union.

With just consideration for your high position, and due respect for you personally, I am your obedient servant,

J. H. WADE,
President Pacific Telegraph Co."

On the same date of President Young's dispatch to Mr. Wade, Hon. Frank Fuller, secretary of the territory, and then acting governor of Utah, sent the following salutation over the wire to President Lincoln:

"Great Salt Lake City, Oct. 18, 1861.

To the President of the United States:

Utah, whose citizens strenuously resist all imputations of disloyalty, congratulates the president upon the completion of an enterprise which spans a continent, unites two oceans, and connects with nerve of iron the remote extremities of the body politic with the great governmental heart. May the whole system speedily thrill with the quickened pulsations of that heart, as the parricide hand is palsied, treason is punished, and the entire sisterhood of states join hands in glad reunion around the national fireside. Frank Fuller,

Acting Governor of Utah Territory."

To this President Lincoln replied in the following message:

24. *Ibid.*

"Washington, D. C., Oct. 20, 1861.

Hon. Frank Fuller, Acting Governor of Utah.

Sir:—The completion of the telegraph to Great Salt Lake City is auspicious of the stability and union of the republic. The government reciprocates your congratulations.

Abraham Lincoln."²⁵

A little later, namely on the 23rd of October, when the line west of Salt Lake City to San Francisco was opened, the courtesy of sending the first message to the Pacific coast was also accorded to Brigham Young. The entry in his office journal is as follows: "President B. Young accompanied by Brothers Wells, Smith, Clawson, Ellerbeck and others, went to the telegraph office, Mr. Street having proffered to Brigham Young the honor of sending the first dispatch, although he [Mr. Street] had been requested to let President Lincoln send the first dispatch; but in consequence of feeling under obligations for the courtesy and help of President Young, he [Young] received the preference. President Young sent the first message to H. M. Carpentier, president of the Overland Telegraph Company, at 10 minutes to 7 p. m.; and at 10 minutes past 7, he received a reply from Mr. Carpentier, dated 6 p. .m, San Francisco, California."²⁶

PRESIDENT LINCOLN'S CALL FOR UTAH MEN TO GUARD THE MAIL LINE

All this, it will be observed, has a strong flavor of patriotism. Also about six months later, when President Lincoln through the war department wired Brigham Young to raise ninety men for three months' service "to protect the property of the telegraph and overland mail service, between Forts Bridger and Laramie, to continue in service until the United States troops shall reach the point where their services are needed" (chiefly in the vicinity of Independence Rock), there was commendable dispatch in responding to President Lincoln's call—the only one of the kind made upon the ter-

25. *Deseret News* of 23rd Oct., 1861.

26. *History of Brigham Young*, Oct. 23rd, 1861, pp. 467-8).

ritory—for in two days the company of cavalry was mustered into government service, and on the fourth day, May 1st, was on the march. The *Deseret News*, however, commenting upon the unexpected requisition remarked that—"the company will not, according to the specifications of the order, be required to perform any other service than that required for the protection of the mail and telegraph, which may not be expected to be very arduous; but the life of a soldier on the plains cannot be very desirable, whether there be much or little to be done."²⁷

The official call for this company, on which the comment above is made respecting the limitations of the service, said:

"It will not be employed for any offensive operations other than may grow out of the duty herein assigned to it," namely, guarding the mail route and the telegraph line in the region designated.²⁸

The company called out consisted of one captain—Lot Smith, of "Echo Canon War" fame—two lieutenants, one first sergeant, one quartermaster sergeant, four sergeants, eight corporals, two musicians, two farriers, one saddler, one wagoner, and seventy-two privates—ninety-three all told.²⁹ The personnel of the officers was as follows:

"Captain, Lot Smith; First Lieutenant, J. S. Rawlins; Second Lieutenant, J. Q. Knowlton; Orderly Sergeant, R. H. Attwood; Quartermaster Sergeant, J. M. Barlow; Sergeants, S. H. W. Riter, John P. Weimer, H. O. Spencer, Moses Thurston; Corporals, Seymour B. Young, Newton Myrick, Wm. A. Bringham, John Hoagland, Jos. H. Felt, Jno. Neff, Andrew Bigler, Hyrum B. Clemons; Farriers, Ira N. Hinckley, John Helm; Saddler, Francis Platt; Wagoner, Solomon Hale; Musicians, Josiah Eardley, Charles Evans. The company was provided with ten baggage wagons and took with them rations for thirty days. On Monday [several days later] three or four other heavy mule wagons followed, with rations for thirty days more. The balance that will be required will probably be taken out by the trains going to the Missouri river, which are expected to start in about ten days."²⁹

The mountain Indians during the months of March

27. *Deseret News*, April 30th, 1862.

28. Dispatch of L. Thomas, adjutant general, war department, Washington, D. C., of 28th April, 1862.

29. *Deseret News*, May 7th, 1862.

and April had manifested an ugly disposition by making attacks upon the mail stations, burning some of them, murdering the employees and running off the stock. So extensive and persistent were their operations that there was a suspension of the mail service ordered by the contracting company.³⁰ At this juncture Acting Territorial Governor, Frank Fuller, Chief Justice Kinney, and several prominent gentlemen connected with the mail service and telegraph companies united in recommending to the secretary of war, at Washington, that the superintendent of Indian affairs for Utah—then James Duane Doty—be authorized to raise a regiment of mounted rangers from the inhabitants of Utah, with officers to be appointed by him, to guard the mail routes and telegraph lines. But three days later Brigham Young, according to Tullidge, wired Utah's delegate in congress to the effect that the militia of the territory were ready and able to take care of all the Indians, and were able and willing to protect the mail route—"if called upon to do so."³¹ It was evidently upon this hint that President Lincoln acted and made the call directly upon Brigham Young, as the most expeditious way of getting the needed thing done; and so official red tape was ignored, and the man who could do the thing was called upon to do it by the then very practical president of the United States.

The very specific and limited service which this company of men were called upon to render may not be regarded as connected with the Civil War service; national service it

30. See *Deseret News* of April 23rd, 1862. The *News* strongly suspected that the raids upon mail stations were instigated by renegade whites, and did not consider the trouble as bad as reported. Still such was the apprehension of danger that when Captain Wm. H. Hooper was starting east to present Utah's claims for admission into the Union, it was considered prudent to send a special company of twenty mounted men under command of Colonel R. T. Burton to escort him beyond the danger zone. This party left on the 26th of April. (See *Deseret News* of 30th of April, 1862). It was in the instructions of General Wells to Colonel Burton that he offer his services to the mail company for the protection of the mails along the line, "until relieved by the troops said to be coming up from the east, or so long as it may be necessary to quiet the Indians who are said to be hostile;" (See Wells' Instructions to Burton, date of April 25th, 1862. Tullidge's *History of Salt Lake City*, p. 254). Acting governor Frank Fuller also gave some official standing to this company by giving it instructions and authorizing it to extend some protection to the United States overland mail.

31. Tullidge's *History of Salt Lake City*, p. 252.

was, of course, and very necessary, and it was creditably, and patriotically rendered, since while the command guarded the mail route and telegraph line between Fort Bridger and the Sweetwater, there were no further depredations upon either.

Near the closing days of the term of their enlistment, namely, on the 19th of July, an Indian raid was made upon the ranch of "Jack" Robinson, one of the oldest mountaineers of the Wasatch range, living about six miles north of Fort Bridger, in which two hundred head of horses and mules were run off by a band of renegade Indians from the north. Captain Smith's command then being in the vicinity of Fort Bridger was appealed to on the day following the raid; and in less than two hours from receiving the word, sixty-two men were in the saddle and on the trail of the thieves. They followed the trail for eight days, going as far north as the head of Snake river valley, near the Three Tetons, about one hundred and thirty-five miles northeast of Fort Hall; but they were not able to overtake the Indians. The chase was a most exciting and trying one, and constituted the chief adventure of the command while in the service. The food supply gave out several days before the trail was abandoned. High waters in many streams had to be contended with; and Donald McNichol, in crossing one of these, a fork of Snake river, was lost, man and horse, in the turbulent stream, the only fatality which occurred in the command while on duty. This detachment of the command returned to Salt Lake City on the 9th of August—other divisions of the force had preceded it—and the *Deseret News* announced that the company would be mustered out of service on August 14th.³²

It must also be conceded that there was a large local interest in keeping open and safe both the mail route and the telegraph line. It was as much to the interest of Utah to do so as it was to the interest of the general government. Besides, Brigham Young had been given \$10,000 by Mr. H. M.

32. *Deseret News* of Aug. 13th, 1862, where the story of this expedition is given in great detail.

Carpentier, president of the California division, to secure his interest in the protection of said line."³³

NOTES

1. THE ASSAULT UPON THE HENNIFER BROTHERS IN THE UNITED STATES ARMY CAMP ON YELLOW CREEK

These Hennifer brothers were *en route* to some point between Bridger and Green river where they proposed to erect a blacksmith shop to accommodate passing emigrant trains. Overtaking the retiring United States troops from Camp Floyd at their encampment on Yellow Creek, the Hennifers asked permission of the commanding officers to camp within the lines, as they had extra provisions of ranch butter and eggs they desired an opportunity to dispose of to those of the camp who might want to buy. The privilege was granted the Hennifers, and a place designated by an officer where they might set their wagon. Soon after nightfall Assistant Surgeon Edward Covey and Lieutenant Ebenezer N. Gay, and others of the camp, went to the Hennifer wagon, and a squad of twelve soldiers seizing upon William Hennifer, by order of Dr. Covey, stripped him of his clothing and tied him to the wheel of his wagon, fastening his feet at the bottom and his hands at the top of the wheel. Dr. Covey then with a heavy riding whip—such as was used in the west at that time,—the handle of braided raw hide strips with four strands two feet in length and knotted—proceeded to inflict a hundred or more lashes upon the bare flesh of his victim, "each stroke with all the force he could exercise—the suffering man all the while uttering loud cries of anguish and pleading for mercy."—Hennifer fainted after about seventy lashes had been administered, but the brutal whipping went on just the same, varied only by beating him over the head with the butt of the whip.

Lieutenant Gay several times suggested during the whipping that their victim be shot. But no one being willing, apparently, to act upon what would have been, under the circumstances a merciful act, he called upon two army mule teamsters standing in the crowd with their long, heavy mule whips, "to give him two for me." Which order was obeyed, the brutes giving the victim two blows each according to the most approved style of whipping mules, burying the ends of the

33. *History of Brigham Young, Ms.*, entry of Aug. 15th, 1861, p. 304; also letter of Brigham Young to George Q. Cannon, *Millennial Star*, vol. xxiii, p. 822. Another item of interest connected with the telegraph line construction is the following incident: President Young at a private meeting of leading church authorities in the Historian's Office, on the evening of Dec. 15th, 1861, "said he had received over \$11,000 in gold for the telegraph poles which he had set up or delivered on the lines. He said, 'I did not touch that gold with my fingers or flesh until it was all paid in. I then put it in a vessel of water, cleaned it, and said what words I wished over it [doubtless words of consecration]. I then delivered every dime of it over for tithing. I have not used one farthing of it for my own use. No one knows anything about it, excepting my clerks, and I don't want you to say anything about it.'" (From *Woodruff's Journal, Ms.*, of 15th of Dec., 1861, also copied into *History of Brigham Young, Ms.*, date of entry, p. 535).

lashes each time in the flesh. "Gay's command was repeated several times and obeyed by the muleteers, while Hennifer remained in an unconscious state." An assault was also made by the crowd upon James Hennifer by order of Dr. Covey, but rolling down the steep embankment of Yellow Creek with several of his assailants into the stream, he escaped without great injury. Two other "Mormons" in the camp, William P. Appleby and William Ward, witnesses to this cruelty, were denounced as "Mormons," and as being worthy of like treatment, but mingling with the crowd they soon afterwards escaped from the camp.

William Hennifer after his beating was untied from the wheel and left to shift for himself—no one in all the crowd that witnessed the affair daring to manifest any pity for him, or render him any assistance. Finally, at his own request, he was conducted outside the lines, a sergeant and three or four soldiers being his guard. The soldiers while marching him out of camp began to strike and abuse him until the sergeant threatened them with violence if they did not desist. Once outside the lines Hennifer made his way to the Woodward mail station, where he was cared for until his brother and friends arrived to take him in charge. His shop-plant and tools and the goods left in the wagon—valued at from twelve to fifteen hundred dollars—were all destroyed by the soldiers and teamsters of the camp. At the conclusion of the whipping, Dr. Covey said to his suffering victim, with an accompaniment of oaths—

"Go and tell Brigham Young that it was I who whipped you, and that if he had been here I would have whipped him also."

The reason for this assault was as stated in the text of this *History*, viz., that William Hennifer was a member of the Salt Lake police force when Dr. Covey and some petty officers from Camp Floyd were arrested for riot and assault upon the police in Salt Lake City. The incident as related by William P. Appleby and William Ward, eye witnesses to the affair,—is detailed at length in *Deseret News* of 6th June, 1860.

2. SCHEDULE OF THE UNITED STATES CAMPAIGN EXPENSES AGAINST THE "MORMONS", 1857-8

"Soldiers marched into the territory.....	4,600	
Quartermaster's men, teamsters and other gov- ernment employees	3,200	
Contractors, teamsters and employees.....	4,930	12,730
Brigadier General Harney's Brigade placed <i>en</i> <i>route</i> for Utah, but recalled after the peace....	2,000	
Employees of General Harney's brigade.....	700	2,700
Number of men in pay of the government.....	15,430	
Suttlers, liquor dealers and merchants, their agents, teamsters and employees.....	1,500	
Professional gamblers	170	1,670
Aggregate of men employed.....	17,100	

Regular troops employed in the campaign.....	6,600	
Other employees of the government and camp followers	10,500	17,100
Number of contractors' wagons.....		4,006
12 oxen to each wagon.....	48,072	
Extra work oxen, one to each wagon.....	4,006	52,078
Suttlers, whiskey dealers and merchants' wagons		1,200
12 oxen to the wagon.....		14,400
Number of mules employed by the government.....		19,200
Number of baggage wagons.....		2,400
Amount of Russell & Co.'s freight bills.....	\$5,408,100	
Cost of wagons, mules, harness, etc., for 2,400 wagons	\$3,600,000	
	<u>\$9,008,100</u>	

The other expenses of this campaign must be immense, when we take into account the purchase money for provisions, groceries, arms, ammunition, hospital stoves, dragoon and officers' horses and equipages: clothing, shoes, steamboat and other freightage, pay for officers, men and other employees, building huts and quarters at Camp Floyd; picking and stealing, waste and stealings of agents and contractors, paymasters, quartermasters, etc., etc.

It is very singular that the whole of this useless expenditure, was made too, * * * when the national treasury was empty; and the government under the necessity of borrowing this money at a high per cent to sustain this unholy war; the receipts of the treasury being insufficient during the whole time to pay the current expenses of the government.

The Mormon war debt is variously estimated at from twenty to forty millions.

The ten thousand five hundred employees and camp followers were armed with rifles, revolvers and knives, and drilled to protect their trains, and would be much more effective in an engagement than the regulars, being generally American citizens and used to the rifles; whereas a great portion of the regular army, are foreigners who were enlisted soon after landing, when intoxicated or in a state of destitution; and unaccustomed to the use of fire arms, and notwithstanding having been drilled, handle their arms imperfectly compared with western men."³⁴

DISTRIBUTION OF THE FORCES AGAINST UTAH

"Colonel Hoffman's regiment ordered to Oregon via California	800 men
--	---------

³⁴. *History of Brigham Young, Ms.*, entry for December, 1858, pp. 1149-50-51.

Colonel Loring's mounted rifles, ordered to New Mexico, by way of the Elk Mountains.....	400 men
Colonel Bee's volunteers or starred battalion marched to Leavenworth and discharged.....	400 men
Brigadier General Harney's brigade recalled.....	2,000 do.
Supposed to have deserted or time expired.....	700 do.
	4,300 men

Which leaves two thousand three hundred regular soldiers with about two hundred recruits enlisted from among the teamsters and employees, since winter set in; which make about 2,500 soldiers in the service of the United States in this territory. [Dec., 1858].

There has been a steady stream of teamsters and employees leaving the territory this fall, towards the east, west, north and south, and probably 3,000 remain from necessity and all of these are anxious to get away."³⁵

35. *History of Brigham Young, Ms.*, December 13th, 1858, p. 1151.



Y0-BNX-709